



SUMMONS TO ATTEND (SPECIAL) COUNCIL MEETING

Monday 10 December 2012 at 7.15 pm
Council Chamber, Brent Town Hall, Forty Lane,
Wembley, HA9 9HD

To the Mayor and Councillors of the London Borough of Brent and to each and every one of them.

I hereby summon you to attend the MEETING OF THE COUNCIL of this Borough.

CHRISTINE GILBERT
Chief Executive

Dated: Friday 30 November 2012

For further information contact: Peter Goss, Democratic Services Manager
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The press and public are welcome to attend this meeting

Agenda

Apologies for absence

Item Page

1 Declarations of personal and prejudicial interests

Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

2 Appointments to committees and outside bodies and appointment of chairs/vice chairs (if any)


3 Local Council Tax Support Scheme and Changes to Council Tax Discounts and Exemptions 1 - 344


This report sets out the findings and outcomes of the consultation arrangements for the proposed local Council Tax Support Scheme carried out over a nine week period between 11th June and 10th August 2012. It recommends a scheme for a new local Council Tax Support scheme based upon the outcomes from the consultation process and achieving, as far as reasonably practicable, a financially neutral position in 2013/14 (the first year of operation). The report also recommends changes to Council Tax discounts and exemptions from 1st April 2013 for certain classes of empty properties. The financial and equality impacts of the recommended scheme for Brent residents and the changes to Council Tax discounts and exemptions are attached.

Ward Affected: All Wards **Contact Officer:** Mick Bowden, Deputy Director of Finance
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4 Urgent business

At the discretion of the Mayor to consider any urgent business.

 Please remember to SWITCH OFF your mobile phone during the meeting. <ul style="list-style-type: none">• The meeting room is accessible by lift and seats will be provided for members of the public.• Toilets are available on the second floor.• Catering facilities can be found on the first floor near The Paul Daisley Hall.• A public telephone is located in the foyer on the ground floor, opposite the Porters' Lodge
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 The logo for Brent Council, featuring a central coat of arms with a shield, a crown, and two lions, surrounded by the words 'BRENT' at the top and 'COUNCIL' at the bottom in a circular arrangement.	<p style="text-align: center;">Full Council 10 December 2012</p> <p style="text-align: center;">Report from Deputy Director of Finance</p>
<p>For Decision</p>	
<p>Local Council Tax Support Scheme and Changes to Council Tax Discounts and Exemptions</p>	

1. Summary

1.1 This report sets out:

1.1.1 The findings and outcomes of the consultation arrangements for the proposed local Council Tax Support Scheme carried out over a nine week period between 11th June and 10th August 2012.

1.1.2 A recommended scheme for a new local Council Tax Support (hereafter referred to as “CTS”) scheme based upon the outcomes from the consultation process and achieving, as far as reasonably practicable, a financially neutral position in 2013/14 (the first year of operation).

1.1.3 The financial and equality impacts of the recommended local Council Tax Support scheme for Brent residents.

1.1.4 Recommended changes to Council Tax discounts and exemptions from 1st April 2013 for certain classes of empty properties.

1.1.5 The financial and equality impacts of the recommended changes to Council Tax discounts and exemptions

1.2 A summary of the background and government proposals are set out in this report.

2. Recommendations

2.1 Members of Full Council are asked to consider and approve the following recommendations:

2.1.1 To approve and authorise the making and implementation of the recommended Council Tax Support Scheme as set out in section 5 and Appendix H of this report.

2.1.2 To approve and authorise the recommended discounts for the Council Tax Discount and Exemption classes to come into effect from 1st April 2013 as set out in paragraphs 10.1, 10.2 and Table 15 of this report.

2.1.3 To consider and approve the response for the Council to reject the Government's conditional offer to accept a transition grant for the Council Tax Support Scheme for the reasons set out in section 4.16 to section 4.23 and Appendix F of this report.

2.1.4 To consider and note the findings on equalities and other impacts arising from the proposed CTS scheme as set out in Section 5 of this report.

2.1.5 To consider and note the findings of the Equalities Impact Assessment in relation to the recommended changes to the Council Tax discounts and exemptions as set out in Section 10 of this report.

2.1.6 To note alternative scheme options that existed and in particular, the transition funding since made available to Local Authorities that designed their schemes to be compliant with certain key requirements prescribed by the Government as set out in their transitional grant scheme dated 18th October 2012.

3. Executive summary

3.1 Under Government welfare reforms, the existing national Council Tax Benefit scheme is to be replaced by localised Council Tax Support schemes from 1st April 2013.

3.2 The changes will see the existing demand-led Benefit subsidy scheme replaced by a fixed grant that is at least 10% lower in value than the current 100% subsidised scheme. Depending upon the funding settlement from the government, this is anticipated to require financial savings in the region of £3.9M to £5.1M for 2013/14 dependent upon growth and Council Tax levels and based upon the Council's proportionate share of the reduced funding. (i.e. excluding the GLA element). The funding due to the GLA will be concurrently affected by similarly proportionate reductions.

- 3.3 Under the reforms, any Local Authority that has not formally approved its local scheme by 31st January 2013 will have a default scheme imposed upon it. In general terms, the default scheme will be similar to the existing national Council Tax Benefit scheme and thus will not achieve the level of savings required to meet the reduced funding levels.
- 3.4 Additionally, there are some aspects of the default scheme that appear to be more onerous in terms of administrative processing and may therefore have consequential resource implications. This relates to the treatment of Universal Credit for CTS purposes, following its introduction in October 2013.
- 3.5 It is therefore incumbent upon Full Council to formally set its local Council Tax Support scheme by 31st January 2013 to avoid the potential implications arising from this scenario although an earlier date is preferred in order to enact necessary operational, publicity and contingency plans.
- 3.6 The Council commenced consultation with the GLA concerning its proposed draft scheme on 25th May 2012. The draft scheme was published on the Brent Council website on 8th June 2012 and made available for customers to access at Customer Services Offices and Public Libraries within the Borough with effect from 11th June 2012.
- 3.7 The consultation was carried out using a range of approaches and publicity. These included online and paper consultation questionnaires and face to face meetings with stakeholders and customers.
- 3.8 The government proposes to protect pensioners (i.e. persons of pension credit age) who currently receive Council Tax Benefit from the effects of any changes made at a local level. Additionally, the same provisions will apply to pensioners that may be eligible for Council Tax Support under the Council's local scheme from 1st April 2013 onwards. This means that the minimum 10% savings referred to in section 3.2 above will, subject to the decision taken by the Council, need to be funded from the benefit entitlement of 24,604 working-age claimants.
- 3.9 The Council has the following options available for meeting the 10% savings level required:
- 3.9.1 Subsidise the recommended scheme via savings elsewhere in the General Fund;
 - 3.9.2 Make changes to Council Tax exemptions and discounts to partially offset the Council Tax Support Scheme funding gap;
 - 3.9.3 Devise a new Council Tax Support scheme to reduce projected expenditure levels;

3.9.4 A combination of the above.

- 3.10 On the basis of the above, options and associated issues arising have been developed and modelled and a proposed scheme (as well as rejected alternatives), are identified within this report and its appendices for reference and information. The proposed scheme principles are contained in section 5 of this report.
- 3.11 Following separate consultations, DCLG are allowing Local Authorities discretion concerning some of the currently nationally-set Council Tax discounts and exemptions and the relevant amendments have been made to the Local Government Finance Act 1992. Decisions concerning these can only be made by Full Council. The additional income that may be generated as a consequence of these proposed changes is intended to partially offset the Council Tax Support Scheme funding gap. The proposals for change are contained in Section 10 of this report.

Background

4. Government proposals and main principles

- 4.1 The government has made provision within the Local Government Finance Bill to replace the current national Council Tax Benefit (CTB) scheme from 1st April 2013 with localised schemes for Council Tax Support (CTS) devised by individual (or groups of) local authorities (LA's).
- 4.2 Responsibility within central government for Council Tax Support has passed from the Department of Work and Pensions (DWP) (responsible for the existing national scheme) to the Department for Communities and Local Government (DCLG) (responsible for the localised provision from April 2013).
- 4.3 Local CTS schemes will be funded by a fixed grant unlike the current Council Tax Benefit scheme which has demand-led funding. The fixed grant will result in an immediate reduction to funding when compared to current levels of subsidised expenditure. The headline reduction is 10% but draft figures issued by DCLG indicate that the reduction for the Council is closer to 13.7%.
- 4.4 Local Authorities have a duty to run a local Council Tax Support Scheme within their area that must contain the following:
- Pensioner claimants will generally be protected from changes to their existing CTB award through the provision of a statutory scheme. (However, a small number of claimants in receipt of war widows or war disablement pensions currently have their income from these pensions ignored when calculating their entitlement to Council Tax Benefit under a Brent Council local scheme. With the

cessation of Council Tax Benefit and the provision of national rules for claims and eligibility for persons of pensionable age, this will cease and only £10 of their weekly income from such pensions may be ignored). The protection for pensioner claimants will result in the 10% financial saving referred to in section 4.3 above falling disproportionately on working-age claimants unless it can be met through other arrangements.

- Schemes must support work incentives. The CLG Policy Statement of Intent does not give a recommended approach to be taken but indicates the considerations of the scheme design that may impact upon work decisions and which local authorities may want to consider.
- LA's must ensure that appropriate consideration has been given to support for other vulnerable groups, including those which may require protection under other statutory provisions including the Child Poverty Act 2010, the Disabled Persons Act 1986 and the Equality Act 2010, amongst others.

4.5 The DCLG has issued Policy Statements of Intent that address a range of issues including the following:

- Vulnerable People and Key Local Authority Duties,
- Taking work incentives into account,
- Information Sharing and Powers to Tackle Fraud.

The Local Government Finance Act 2012 states that a Billing Authority must have regard to any guidance issued by the Secretary of State. The recommended scheme has sought to address these requirements and is outlined within this report and associated appendices.

4.6 Under the Local Government Finance Act 2012, the Council must, in the following order, consult with major precepting authorities (i.e. the GLA), publish a draft scheme in such manner as it thinks fit and consult such other persons as it considers are likely to have an interest in the operation of the scheme.

4.7 The Council must make its scheme and publish it in such manner as it thinks fit. The decision to make the scheme is reserved for Full Council and cannot be delegated.

4.8 Once a local Council Tax Support scheme has been made by the Council, it cannot be revised for at least one financial year. A Billing Authority must however *consider* whether to revise or replace its scheme with another one on an annual basis. In practice, this would require any proposals to amend the scheme to be drafted in the summer months to enable consultation and decision making processes to be concluded in time for Council Tax annual billing preparations.

- 4.9 Any revision to a scheme must be made by the Council by the 31st January immediately preceding the financial year in which it is to take effect and will require consultation arrangements to be applied. Additionally, in future, consideration must be given to providing transitional protection where the support is to be reduced or removed.
- 4.10 Existing CTB claimants on 31st March 2013 including those that have applied for Benefit but not had their entitlement determined at that time, will not need to reapply for CTS as their application will be treated as though it were made for Council Tax Support. This was outlined within the CLG'S Policy Statement of Intent dated 17th May 2012.
- 4.11 The implementation of the local Council Tax Support scheme coincides with other major reforms to the Welfare system including Universal Credit; the overall Benefit income cap; Housing Benefit restrictions for under-occupation in the social sector; and the devolvement of certain Social Fund functions from central to local government. This is likely to result in some claimants being affected by multiple changes arising from the reforms.
- 4.12 In the absence of the Council agreeing a local Council Tax Support Scheme by 31st January 2013, the Government will impose a default scheme. The technical operation and application of this scheme is not dissimilar to the existing national Council Tax Benefit Scheme although it will incorporate a number of new features relevant to the introduction of Universal Credit. The financial implications of this scheme mean that the Council would need to find additional funding of between £3.9M and £5.1M as set out in Appendix C to this report. The imposition of the default scheme was therefore not progressed as a financially viable option.
- 4.13 The default scheme is only applicable where a Council has not adopted a local scheme by 31st January 2013. As such, a Local Authority could still adopt their own local scheme based upon the default scheme provisions. Consideration has also been given to adopting a local scheme similar to the default scheme provisions although due to the financial implications as previously outlined in 4.12 above, this was not progressed further.
- 4.14 The Government has made amendments to the Local Government Finance Act 1992 (amended by the Local Government Finance Act 2012) to existing Council Tax discount and exemption provisions that if adopted, would enable Local Authorities to offset some of the potential funding gap arising from the localised arrangements for Council Tax Support. This provision has been considered and progressed as it reduces the potential funding gap that may otherwise need to be met from the localised Council Tax Support Scheme and the recommended proposal for this is set out in section 10 of this report.

- 4.15 There is also an option to meet part of the funding gap arising from the local Council Tax Support arrangements through savings achieved elsewhere within the Council. However, this option has been rejected for the same financial reasons as those outlined in 4.12 and 4.13 above.
- 4.16 Since the Government published its Policy Statements of Intent and subsequent to the Council concluding its consultation and submitting a report to the Executive outlining the proposed scheme details, the Government has made available a £100M transition grant to Local Authorities that comply with specified key principles within their Council Tax Support Scheme.
- 4.17 A funding paper issued on 19th October 2012 indicated that Brent Council could receive £641,613 of this funding if it were to meet the specified requirements.
- 4.18 The grant is conditional upon the following:
1. Designing a scheme that ensures those claimants currently receiving 100% support under Council Tax Benefit arrangements pay between zero and no more than 8.5% of their Council Tax liability. (Frequently Asked Questions (FAQ's) issued on 19th October further indicates that it would not be acceptable to have an 8.5% maximum for current 100% rebate cases, with a higher maximum for current non-100% cases – in order to avoid creating “cliff edges” for claimants who may enter work and which could act as a disincentive to employment).
 2. Ensuring that the taper does not increase above 25%
 3. Ensuring that there is no sharp reduction in support for those entering work – for claimants currently entitled to less than 100% support, the taper will be applied to an amount at least equal to their maximum eligible award and
 4. An expectation that local authorities will not impose large additional increases in non-dependant deductions.
- 4.19 In relation to points 1, 2 and 4 in paragraph 4.18 above, the proposed CTS scheme for Brent as set out and recommended in this report does not meet these requirements, instead proposing a 20% minimum liability, a taper of 30% and a doubling in general terms of most existing non dependant deductions.
- 4.20 In the case of point 3 in paragraph 4.18 above, it is unclear as to what this means in practical terms and therefore it is not possible to comment in more detail on this issue at this stage or indeed its financial implications.

- 4.21 Full details on the financial and other implications arising from the above proposals are set out in Appendix F of this report.
- 4.22 Based upon the implications set out within Appendix F, it has been established that if the Council were to accept the offer, it would incur considerable financial cost itself as well as presenting several significant legal and practical risks.
- 4.23 For the above reasons, it is recommended that the offer is declined.

5 The Council's Proposed CTS scheme

- 5.1 The Council undertook consultation concerning its proposed draft scheme which comprised the key principles and features set out below for working age claimants:

Principle 1: "Everyone should pay something"

All working age claimants (unless defined as protected) shall be required to pay a minimum contribution towards their Council Tax – set in the draft scheme at 20%.

Principle 2: "The most vulnerable claimants should be protected" (from the minimum contribution)

Claimants shall be protected from the 20% minimum contribution if they or a dependant in their household are entitled to a disability premium, enhanced disability premium, disabled earnings disregard, Disability Living Allowance or Personal Independence Payment, Disabled Persons Reduction for Council Tax purposes, War Disablement Pension and War Widow's Pension.

Principle 3: "The scheme should incentivise work"

Incentives to work are achieved by letting claimants who are working keep more of what they earn (before means-testing) – the recommended scheme proposes an increase of £10 per week in the earnings disregards for Single Person, Couple and Lone Parent earnings (currently set at £5, £10 and £25 respectively). In this context, a disregard means the amount of weekly earnings that may be ignored when calculating entitlement to Benefit.

Principle 4: "Everyone in the household should contribute"

Other adults in the claimant's household ("non-dependants") should contribute more proportionately to their income – the recommended scheme proposes doubling the existing rates of non-dependant deductions from those in place in 2012/13 and replacing the current nil deduction for other adults in the claimant's household receiving Job Seekers Allowance (Income Based) with a deduction of £6.60.

Principle 5: “Better off claimants should pay relatively more so that the least well off receive greater protection.”

The recommended scheme proposes that the taper used in the Benefit calculation for those above the means-test (i.e. where the claimant’s income exceeds their needs) should be increased to 30% from the current 20%. This is the rate at which Council Tax Support reduces where weekly income exceeds basic living needs and will be 30 pence in the pound rather than the 20 pence currently applied for CTB.

Principle 6: “Benefit should not be paid to those with relatively large capital or savings”

The recommended scheme proposes reducing the current savings cut-off limit applied for CTS claims from £16,000 at present for the purposes of CTB to £6,000.

5.2 Other general features of the proposed scheme were as follows:

- 5.2.1 The current second adult rebate scheme (whereby claimants whose own income is too high to receive CTB, but have other adult(s) in the household whose income is low, can receive a Council Tax discount of up to 25%) to be abolished for working age claimants. This is due to its inconsistency with the above principles given that these claimants by definition are not eligible via the normal Benefit means-test.
- 5.2.2 Premiums and personal allowances used to determine basic living needs for a claimant and their family when calculating entitlement to CTS to be held at the rates applied for CTB in 2012/13. This will have the effect of contributing to the required savings by counteracting any inflationary growth in expenditure.
- 5.2.3 Where new working age benefits are introduced by the government (in particular Personal Independence Payments and Universal Credit, both of which are being introduced during the first year of the CTS scheme), treatment of these benefits to be broadly equivalent to treatment of the corresponding current working age benefits within the CTS scheme.

For example, claimants in receipt of Universal Credit shall be treated as being liable to pay a minimum 20% contribution towards their Council Tax unless they are protected.

(Personal Independence Payments will replace Disability Living Allowance; Universal Credit will combine Income Support, Job Seekers Allowance (Income Based), Employment Support Allowance (Income Related), Working and Child Tax Credits and Housing Benefit, and will be rolled out over four years from October 2013).

5.3 Additional proposals were received from the consultation undertaken in relation to protecting claimants and groups of claimants from payment of the minimum 20% Council Tax contribution that included for example the following:

- Job Seekers Allowance and Universal Credit
- Carers
- People not working
- Vulnerable persons
- Disabled
- Terminally ill
- Persons of pensionable age
- Persons resettled from a hostel
- Persons on a low income (including on minimum wage)
- Medical grounds (including Employment Support Allowance Care Component)
- Severe learning disorders
- Other Social Issues (e.g. debt)
- Persons recently unemployed
- Joint Tenants (where the other tenant does not contribute)
- In receipt of Benefits Looking for work
- No savings
- Young adults aged 16 to 30 in full time education or learning and living with parents
- Persons attending courses for education to improve employment prospects
- Young Adults
- Single Parents
- Families
- Care leavers
- Foster carers
- Special Guardian Carers

Each of the proposed options has been considered with regard to their suitability and feasibility. In some cases suggestions have not been progressed as the proposed scheme already provides for protection (e.g. disabled and pensionable age) or because they would be administratively complex to apply, financially unviable, or cannot be achieved due to software constraints. Other suggestions have however been considered and it is proposed that these be included within the proposed scheme as is the case for example in the following two cases:

- Claimants that are carers in receipt of a Carers Allowance and providing care to another person.
- Persons receiving a guaranteed income payment or survivors guaranteed income payment under the Armed Forces Compensation Scheme where they have received an injury or illness from service in the Armed Forces after 6th April 2005.

- 5.4 Other proposals have also been submitted by organisations concerning for example the CTS claims process and alternative minimum contribution levels for claimants (e.g. 10%) but with no protection for vulnerable groups. Each option proposed has been financially evaluated where practicable and considered and reviewed accordingly. The details concerning these cases are set out in the Consultation Report attached at Appendix A to this document.
- 5.5 The Council's proposed scheme has been established with due regard to the Council's statutory obligations, consultation responses and in order to attempt to distribute the reduced funding available amongst those claimants most in need of financial assistance, while still achieving the necessary financial savings to meet the funding deficit. The detailed legal implications concerning these including the public sector equality duty are set out later in this report.
- 5.6 The permutations of options and variations for a localised Council Tax Support scheme are almost infinite and a variety of options and variations were considered prior to the consultation process by officers and through discussions with a Member Working Group. These were used to arrive at the proposed draft scheme which formed the basis of public consultation. The options considered and discounted including those raised during the consultation have been set out in Appendix B together with reasons for their rejection.
- 5.7 The proposed local scheme for consideration by Full Council will consist of both statutorily prescribed requirements as defined for claimants of pensionable age and persons from abroad who are to be excluded from entitlement if they are subject to immigration control and/or not otherwise treated as being in Great Britain. Further changes to the prescribed provisions will be made in the final regulations and will also be included in the Council's local scheme for non-EEA nationals to reflect final Universal Credit regulations. There will also be local requirements for working age claimants which have been developed based upon the Council's set of key principles and accompanying technical mechanisms. These represent variations from the existing CTB scheme for working age claimants.
- 5.8 The local Council Tax Support scheme complies with the Government's key principles of protecting Pensioner claimants from changes in their existing CTB award, supports work incentives and gives appropriate consideration to support other vulnerable groups, including those which may require protection under other statutory provisions including the Child Poverty Act 2010, the Disabled Persons Act 1986 and the Equality Act 2010, amongst others.
- 5.9 The manner in which this is achieved in relation to CLG Policy Statements of Intent is set out below and further referenced within section 4.4 of this report.

5.9.1 Armed Forces Covenant

The Covenant sets out the relationship between the Nation, the State and the Armed Forces and recognises that the whole nation has a moral obligation to members of the Armed Forces and their families, and it establishes how they should expect to be treated.

It exists to redress the disadvantages that the Armed Forces community faces in comparison to other citizens, and to recognise sacrifices made. In some cases this will require special consideration, especially for those who have given the most such as the injured and the bereaved.

In consideration of the above and following comments during the consultation the recommended scheme now proposes that in addition to war widow's, war widower's and war disablement pensions, guaranteed income payments (including survivor's guaranteed income payments under the Armed Forces Compensation Scheme) be disregarded in full for working age claimants thus ensuring that receipt of these incomes does not impact upon their Council Tax Support entitlement.

Additionally, the recommended scheme proposes that claimants be protected from the requirement to pay a minimum contribution of 20% towards their Council Tax where they or a dependant in their household is in receipt of one of these income types.

It is also important to note that under Government regulations for pensionable age claimants that will apply to all Local Authorities, only £10 per week can be disregarded from the receipt of the above pensions. Currently, Brent Council operates a local scheme whereby these pensions are disregarded in full but this will cease under the new prescribed statutory provisions for pensionable age claimants. Whilst there are only currently 12 customers affected by this change and of these, half are in receipt of 100% Council Tax Benefit and will thus continue to be entitled to this amount of Benefit next year, this change will be of importance to all of them.

The Council may consider exercising the provisions of Section 13A Local Government Finance Act 1992 as set out in the financial implications section of this report to address this potential scenario whereby such persons of pensionable age are financially affected.

5.9.2 Child Poverty Act 2010

The principles enshrined within the recommended Council Tax Support Scheme support the objectives of reducing and

mitigating the effects of child poverty through the following means:

Child Benefit shall be completely disregarded as a claimant's income thus ensuring that their entitlement to Council Tax Support is unaffected by the receipt of this income.

Premiums and allowances shall be used to determine a claimant's basic living needs with amounts being determined for each child and young person that is resident in the claimant's household.

The disregard of an additional £10 per week from a claimant's weekly earned income (i.e. through employment) is also likely to contribute towards the achievement of this objective by permitting a claimant to earn an additional £10 per week without it affecting their Benefit entitlement.

The provision of disregards for child care costs will be applied within the scheme up to a maximum prescribed level of £175 per week for one child and £300 for two or more children for example where the claimant is a single parent that works 16 or more hours per week, or a couple where both partners work 16 hours or more per week or where one partner is incapacitated, in hospital, in prison or aged 80 or over and the other partner works 16 hours or more per week and relevant child care costs are paid for a child normally up to the first Monday in September after their 15th birthday.

5.9.3 Incentivising Work

The disregard of an additional £10 per week from a claimant's weekly earned income (i.e. through employment) for single claimants, couples and single parents shall permit a claimant to earn an additional £10 per week without it affecting their Benefit entitlement. This will mean that the following weekly earned income amounts shall be disregarded under the recommended scheme:

Single Person - £15

Couple - £20

Single Parent - £35

The provision of extended payments for the first four weeks after a claimant commences work where they meet certain prescribed requirements will also be applied within the recommended scheme.

The provision of a non-dependent deduction for another adult resident in the claimant's home that is in receipt of Job Seeker's

Allowance (Income Based) is also included within the proposed scheme as a work incentive.

5.9.4 Equalities Implications

Section 149 of the Equality Act 2010 sets out the public sector equality duty which requires the Council, when exercising its functions (including those as an employer) to have 'due regard' to the need to eliminate discrimination (both direct and indirect discrimination), harassment and victimization and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who share a 'protected characteristic' and those who do not share that protected characteristic.

Direct discrimination occurs if, because of a protected characteristic, a local authority treats a person less favourably than it treats or would treat others.

Indirect discrimination occurs if a local authority applies the same provision, criterion or practice to everyone, but it puts those in a certain protected group at a "particular disadvantage" when compared with persons who are not in that protected group. Even if a "particular disadvantage" arises, indirect discrimination does not arise if the provision, criterion or practice can be justified – i.e. if it is a proportionate means of achieving a legitimate aim.

The Council must pay due regard to any obvious risk of such discrimination arising in respect of the decision before them. These matters are examined in the Equalities Impact Assessment.

A 'protected characteristic' is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race; (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

Having due regard to the need to 'advance equality of opportunity' between those who share a protected characteristic and those who do not, includes having due regard to the need to remove or minimize disadvantages suffered by them. Due

regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and encourage those who have a protected characteristic to participate in public life.

The steps involved in meeting the needs of disabled persons include steps to take account of the persons' disabilities.

Complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.

Due regard to the need to eliminate discrimination, advance equality, and foster good relations must form an integral part of the decision making process. The Council must consider the effect that implementing a particular policy will have in relation to equality before making a decision.

There is no prescribed manner in which the equality duty must be exercised. However, the council must have an adequate evidence base for its decision making. This can be achieved by gathering details and statistics on who use the facilities. A careful consideration of this assessment is one of the key ways in which the Council can show "due regard" to the relevant matters. Where it is apparent from the analysis of the information that the proposals would have an adverse effect on equality then adjustments should be made to avoid that effect (mitigation).

The duty is not to achieve the objectives or take the steps set out in s.149. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its functions. "Due regard" means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions.

There must be a proper regard for the goals set out in s.149. At the same time, the council must also pay regard to any countervailing factors, which it is proper and reasonable for them to consider. Budgetary pressures, economics and practical factors will often be important, which are brought together in the Equality analysis form. The weight of these countervailing factors in the decision making process is a matter for the Council in the first instance.

The proposed council tax support scheme will impact on 24,604 existing working age claimants.

A detailed equalities impact assessment has been undertaken and is attached at Appendix D to this report.

In general terms, as the proposed changes will impact across the working age caseload, the effects of the reductions in entitlement will affect all claimants and the risk of a disproportionate impact on a protected group has thus been minimized.

There has not been any adverse impact currently identified for 7 of the 9 protected groups. However, in terms of “race” and “age” some specific issues have been identified and these are outlined below.

The majority of working age customers (52%) will incur a difference of £3 to £5 per week less in entitlement under the proposed scheme that will have to be paid in their Council Tax.

The ‘black’ ethnic group (60%) in proportionate terms has a greater incidence of a reduction in entitlement of £3 to £5 per week compared to any other ethnic group. However, claimants in this group are less affected by a decrease in entitlement of more than £5.00 per week than other groups. This is because this group has more claimants in receipt of passported benefits (i.e. 55%) compared to the average for the working age caseload (i.e. 46%). Consequently, they would not see a reduction in their benefit under Principle 5 (the effects of the taper) but, like all other groups, would still be affected by Principle 1 - the proposed requirement to make a minimum contribution of 20%.

The ‘Asian’ ethnic group is more affected in proportionate terms by a reduction in entitlement of £5.00 or more per week under the proposed scheme than other groups. One reason for this is that they are more likely to be in the ‘working age other’ group and therefore more likely to be affected by Principle 5 under the proposed scheme and the impact of the taper on income above their basic living needs.

Additionally, there are some other significant factors that contribute towards the variance in the percentage of caseload affected by a reduction in entitlement of more than £5 per week which are as follows:

- ‘Asian’ families have a greater proportion of dependents (i.e. 22% have 3-4 children per household compared to 10% of the ‘white’ group). Consequently, they have larger homes represented by a higher Council Tax Valuation Band and hence more Council Tax to pay for the Valuation Band allocated. For example, 16% of the ‘Asian’ group resides in Band E properties compared to just 9% ‘Black or 10% ‘White’ ethnic groups.

- The 'Asian' group also has significantly more adults other than the claimant and partner residing as part of the household (e.g. 6% 'Asian' households have 2 other adults living as part of the family compared to 3% of any other ethnic group)

The policy intention of the proposed scheme is that a claimant should have a reduction in their proposed entitlement if they have other adults resident in their home that could contribute towards the Council Tax and other household bills. Consequently, the more non-dependants that are resident in a claimant's home who are working for example, the greater the non-dependant deduction that would be made from the claimant's entitlement. There is no deduction made however, where a non-dependant is in receipt of Income Support or where the claimant or partner is receiving the care component of a disability living allowance.

Those most affected by a reduction in entitlement of between £3 and £5 are in the 18 - 24 age group (i.e. 76%). This is because this age group is less likely to receive protection under the proposed scheme towards the minimum 20% contribution as they are less likely to be in receipt of Disability Living Allowance for example and more likely to be in receipt of a passported benefit such as Job Seekers Allowance (Income Based).

As a claimant's age increases, the likelihood of a reduction in entitlement of £3 to £5 per week decreases (with just 37% of 55 - 60 year olds affected by this reduction amount). This variance can be explained by younger claimants being less affected by Principle 4 of the proposed scheme as they are less likely to have non-dependants living with them than older claimants who may have adult sons and daughters still residing with them.

It is also the case that the 55 - 60 year old age group comprises 32% of the £0 to £3 reduction in entitlement to support category. This can be explained by the fact that 30% of 55 - 60 year olds are protected from Principle 1 (i.e making the minimum 20% contribution towards their Council Tax).

Claimants aged 55 to 60 are proportionately more likely to have a difference in their entitlement of £8.00 to £30.00 per week than the younger age groups. For example, in the £8 - £15 category they are represented by 11% rather than the 6% average.

One factor for this variance is because claimants aged 55 to 60 are more likely to live in larger properties. For example, 15% live in Band E properties compared to 3% aged 18 - 24 and 6% aged 25 - 34 than the younger age groups. They are also in

proportionate terms more likely to have more non-dependants living in their home.

Given that one of the key scheme objectives is to incentivise work, the provisions in the proposed scheme to protect the most vulnerable, as well as the strong financial pressure to introduce the scheme and the need to bridge the anticipated funding gap, officers consider that the adverse effects on some groups is justifiable in the circumstances.

6. Consultation Arrangements

- 6.1 The consultation period of 11th June to 10th August (i.e. 9 weeks) was shorter than the 12 weeks recommended in the Government's Code of Practice on consultation. However, the CLG advised that authorities should consider the length of consultation depending upon the impact of the proposals and their ability for example to complete the consultation exercise within budgetary timetables.
- 6.2 Additionally, it was indicated within the CLG Policy Statement of Intent dated 17th May 2012 that if a shortened period was to be applied, that the reasons for this should be given in consultation documentation.
- 6.3 To this extent, the Council included reference to this in its Council Tax Support consultation document that a shortened period had been used to permit sufficient time to evaluate the responses received and to meet the Council's budget setting timetable. The timescale also reflected the need to provided sufficient duration to receive and test software, and prepare for annual billing and year end arrangements. Full detail of the consultation and analysis of results is included in the Consultation report attached as Appendix A to this report.
- 6.4 In compliance with the Council's consultation obligations, a range of approaches were used to obtain views and comments for the proposals of the Council's Local Council Tax Support Scheme as set out below:
- All consultation documentation including the questionnaire was available on Brent Council's Consultation Tracker website - www.brent.gov.uk/consultation,
 - A specific email address was provided and included on consultation documentation to deal with any requests for information or to log supplementary comments. All correspondence has been logged and has served to inform this report,
 - A text message was sent on two occasions to 2694 existing Benefit customers outlining the nature of the consultation and providing details of how to access the consultation documentation,

- An email was sent on two occasions to approximately 1770 existing Benefit claimants outlining the nature of the consultation and providing details of how to access the consultation documentation,
- A leaflet was issued with 13,000 Council Tax bills to Council Tax Payers in the Borough outlining the nature of the changes and providing details of how to access the consultation documentation,
- Meetings and presentations were held with organisations, including the voluntary sector service user forum comprising representatives (and in some instances members) of Mencap, Citizens Advice Bureau, Help Somalia Foundation, Advocacy Project, Private Tenant Rights User Group, Older Persons Partnership Board, Brent Housing Partnership, Brent Mental Health User Group and representatives from Lynton Close Travellers Site. Proposals were outlined and comments and options were submitted as appropriate and confirmed by Council representatives in writing. Consultation questionnaires were also provided to attendees of meetings held with the Brent Mental Health User Group, Older Persons Partnership Board, Help Somalia Foundation and Lynton Close Travellers Site.
- An email was sent to 600 Area Consultative Forum members and 640 Citizens Panel members on two occasions outlining the nature of the consultation and providing details of how to access consultation documentation,
- Paper copies of the documentation were distributed upon request and were available at each of the Brent Council Libraries (excluding Kilburn that was closed for refurbishment during the consultation period), and Customer Services Local Offices at the Town Hall, Willesden Green and Brent House,
- Alternative formats of consultation documentation were available on request,
- A feature on the consultation was published in both the May and July edition of the Brent Magazine and the consultation was publicised in the local media including the Harrow Times and the Brent and Kilburn Times at the commencement of the consultation,
- Two public meetings were arranged and held at Willesden Mosque and Brent Town Hall respectively for which there were 16 attendees,
- Council proposals were outlined at each of the 5 Area Consultative Forums for which there were 267 attendees,
- A pop up screen outlining the nature of the consultation and how to access the online consultation documentation was activated each

time one of the Brent public library PC's was accessed by a customer. During the consultation period, there were 5,607 customer sessions where this message was displayed,

- Letters outlining the consultation arrangements were sent by post / email to 30 organisations including Housing Associations with a property interest in the Borough, welfare organisations and interest groups to inform them of the nature of the consultation and how they may access the consultation documentation,
- Letters outlining the consultation arrangements were sent by email to 136 voluntary organisation representatives on 11th June 2012 informing them of the nature of the consultation and how they may access the consultation documentation,
- Letters outlining the consultation arrangements and how to access the consultation documentation were also sent to the three Brent MP's and Chamber of Commerce,
- The Voluntary Sector Service Users Forum meeting on 21st June was attended by 20 people representing 18 voluntary organisations where the consultation arrangements were outlined. A briefing note was given to the attendees informing them of how they may access the consultation documentation and attendees were advised to meet with officers as appropriate if they wished to obtain further details about the scheme.
- Posters advertising the consultation and how to access documentation were displayed on 80 advertising hoardings around the Borough for a period of two weeks from 24st July 2012.
- A focus group meeting was arranged for 3rd August 2012 with 9 Council Tax Benefit claimants although only one attended the meeting.

6.5 Correspondence with Council officers and records of Question and Answer sessions at public meetings and forums have been logged and have helped to inform the analysis of the consultation feedback and the findings of this report.

7.0 Consultation Responses – Analysis

7.1 The questionnaire used for the consultation was made available on the Council's Consultation Tracker throughout the consultation period and printed copies of the document were distributed at all meetings and forums attended. Printed copies were also available upon request and were available at Brent Council libraries (excluding Kilburn which was closed for refurbishment during the consultation period) and Customer Services Local Offices.

- 7.2 Respondents were asked the following questions:
- To rank in order of importance their preferences for each of the proposed changes,
 - To state whether they agreed or disagreed that each of the proposed changes was fair
 - To give details of any other groups that the Council should protect from the proposed changes and reasons
 - To add any additional comments to support responses given to the ranking of importance and fairness questions or alternative options that the Council should consider
 - To comment on whether the proposed changes are likely to affect particular individuals or groups more than others and if so, how these may be addressed
 - To provide any other additional comments concerning the proposals
- 7.3 There were 184 consultation questionnaire responses received, comprising 97 online responses (52.7%) and 87 paper responses (47.3%).
- 7.4 Additionally however, there were comments and submissions received from organisations including CAB, Mencap, Capita, GLA, Network Housing and Catalyst Housing and the Council's Children and Families Service and Strategy, Partnerships and Improvement.
- 7.5 The size of the consultation questionnaire response represents 0.5 per cent of the total Benefits caseload. It should also be noted that some respondents only answered part of a question or in the case of free text answers, gave more than one response for consideration. In other cases, no responses were given to a question. Consequently, the weight attached to the results obtained from the responses received should be considered accordingly.
- 7.6 A number of the proposals submitted for consideration were proposed by only one respondent, cannot be achieved due to software constraints or are administratively complex to operate. Others proposed have already been included within the draft scheme such as those for pensioners and the disabled.
- 7.7 The top six categories recommended for protection from the minimum 20% Council tax contribution submitted by respondents to the questionnaire were families with children, single parents, pensioners, disabled, persons in receipt of Job Seekers Allowance and persons on low income.
- 7.8 There were also submissions made from organisations proposing for example a flat 10% contribution towards Council Tax with no protection for any groups, protection for care leavers and carers, persons leaving the armed forces and persons subject to domestic violence.

7.9 Each proposal received has been evaluated based upon technical feasibility and suitability in terms of administering the scheme, the potential financial position arising from the funding deficit and the Council's obligations and duties under statutory provisions including the Equalities Act 2010.

7.10 Details of the consultation findings in general may be summarised as follows:

Of the 184 respondents:

121 (i.e. 85.82% of those that responded to the question) indicated that they paid Council Tax to Brent Council and 20 (i.e. 14.18% of those that responded to question) did not.

87 (i.e. 60.84% of those that responded to the question) were currently in receipt of Council Tax Benefit and 56 (i.e. 39.16% of those that responded to the question) were not. There were 41 respondents that did not give an answer to this question.

17 (i.e. 27.87% of those that responded to the question) indicated that they had previously received Council Tax Benefit and 44 (i.e. 72.13% of those that responded to question) had not.

Table 1 below sets out the relevant findings from the analysis conducted.

Table 1

Ethnic Group	Proportion of Borough Population	Proportion of Benefits Caseload	Number of Consultation Responses	Proportion of Responses Received (%)
Asian:Bangladeshi	0.5	0.6	1	0.70
Asian: British	0	0	4	2.82
Asian: Chinese	1.1	0.4	1	0.70
Asian: Indian	18.5	8.0	12	8.45
Asian: Pakistani	4.0	3.6	6	4.23
Asian: Other	4.8	11.3	6	4.23
Black: African	7.8	18.8	12	8.45
Black: Caribbean	10.5	15.2	14	9.86
Black:Somali	0	0	19	13.38
Black: Other	1.6	1.5	3	2.11
Mixed: White and Black Caribbean	1.0	1.1	2	1.41
Mixed: White and Black African	0.7	1.0	0	0
Mixed: White and Asian	1.0	0.7	0	0

Mixed: Other	1.1	1.0	1	0.70
White:British	29.2	15.7	35	24.65
White:Irish	7.0	5.0	1	0.70
White: Other	9.1	11.7	12	8.45
Other	2.3	4.4	8	5.63
Prefer not to say	0	0	5	3.52
Total	100	100	184	100

Notes:

1. The above totals do not equate to 100% in all cases due to rounding differences.
 2. There were 42 respondents that did not answer this question.
 3. Black:British has been included within the group Black:Other in the table above.
 4. Black:Somali has been shown as a separate group for the purposes of the consultation responses although in the census and for the Benefits caseload generally, this group is likely to have been incorporated within Black:African.
- 7.11 Table 2 below shows how the proportions of each group as represented by the Borough population and Benefits caseload compare to that obtained from the consultation responses received. This indicates that Asian: Pakistani, Black: African, Black: Caribbean, and White: Other have the closest representation from the consultation responses to the 2001 census data and that Asian: Indian has the closest representation from the consultation responses to the Benefits caseload allowing for a 10% variance.

Table 2

Ethnic Group	Proportion of Borough Population (A)	Proportion of Benefits Caseload (B)	Proportion of Responses Received (C)	% Difference between Population and Responses	% Difference between Benefits Caseload and Responses
Asian:Bangladeshi	0.5	0.6	0.7	40	17
Asian: British	0	0	2.82	#DIV/0!	#DIV/0!
Asian: Chinese	1.1	0.4	0.7	-36	75
Asian: Indian	18.5	8	8.45	-54	6
Asian: Pakistani	4	3.6	4.23	6	18
Asian: Other	4.8	11.3	4.23	-12	-63
Black: African	7.8	18.8	8.45	8	-55
Black: Caribbean	10.5	15.2	9.86	-6	-35
Black:Somali	0	0	13.38	#DIV/0!	#DIV/0!
Black: Other	1.6	1.5	2.11	32	41
Mixed: White and Black Caribbean	1	1.1	1.41	41	28
Mixed: White and Black African	0.7	1	0	-100	-100
Mixed: White and Asian	1	0.7	0	-100	-100
Mixed: Other	1.1	1	0.7	-36	-30
White:British	29.2	15.7	24.65	-16	57
White:Irish	7	5	0.7	-90	-86
White: Other	9.1	11.7	8.45	-7	-28
Other	2.3	4.4	5.63	145	28
Not declared	0	0	3.52	#DIV/0!	#DIV/0!

Note: In Table 2 above, the reference to #DIV/0! In some instances applies where the denominator used for the purposes of the comparison is zero.

7.12 The tables below set out the composition of respondents that completed the consultation questionnaire:

Table 3

Status of Respondent	Total number of Responses	Responses as Proportion of Total (%)
Pensioner	23	16.67
Student	3	2.17
Employed	37	26.81
Employed Part Time	15	10.87
Unemployed	54	39.13
Disabled	6	4.35
Totals	138	100

The overall response rate to this question was 75% of the total of 184 respondents. There were 46 respondents that did not give an answer to this question representing 25% of the total of 184 respondents.

Table 4

Status of Respondent	Total number of Responses	Responses as Proportion of Total (%)
Living as a Couple	14	16.67
Married	44	52.38
Civil Partnership	1	1.19
Prefer not to say	25	30
Totals	84	100

The overall response rate to this question was 45.65% of the total of 184 respondents.

There were 100 respondents that did not give an answer to this question representing 54.35% of the total of 184 respondents.

- 7.13 An analysis of the age composition of the Borough in comparison to the Benefits caseload is shown in Tables 4 and 5 below:

Table 5 – Borough Census and Benefit Caseload

Age Range	Borough average from Census	Council Tax Benefit Cases
15-24	18.2%	3.24%
25-34	24.2%	14.42%
35-44	19.4%	21.98%
45-54	13.5%	21.11%
55-59	5.5%	7.99%
60+	19.3%	31.26%

Table 6 – Consultation Responses

Age Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Under 18	0	0
18 to 24	6	4
25 to 34	20	14
35 to 44	48	34
45 to 54	34	24
55 to 60	10	7
61+	20	14
Prefer not to say	4	3
Totals	142	100

The overall response rate to this question was 77.17% of the total of 184 respondents.

There were 42 respondents that did not give an answer to this question representing 22.83% of the total of 184 respondents.

- 7.14 It is not possible to draw any specific conclusions from the above age data as not all of the respondents answered this question.
- 7.15 It is also important to note that as Council Tax is not payable by residents aged under 18 years old, there will not be any data for this age range in respect of Council Tax Benefit. It is also likely that as persons of pensionable age will be protected from the proposed changes to Council Tax Benefit, they were less likely to respond to the consultation proposals.
- 7.16 There does appear however to be a close correlation between the age analysis of consultation respondents and Council Tax Benefit data that may be partially explained by the fact that 60% of respondents were in receipt of Council Tax Benefit and consequently the age data for these persons should be consistent with Benefit data held.

7.17 Table 7 - Gender Status

Gender	Borough Average from Census	Council Tax Benefit Data
Male	48.6%	45.8%
Female	51.4%	54.2%

The profile of gender within the Borough and the existing Benefits caseload is shown in Table 6 above and appears to be broadly comparable. It is important to note that a claimant for Council Tax Benefit can be either partner in the case of a couple.

Table 8 - Consultation Responses

Gender of Respondent	Total of Responses	Responses as Proportion of Total (%)
Male	58	41.43
Female	78	55.71
Prefer not to say	4	2.86
Totals	140	100

The overall response rate to this question was 76.09% of the total of 184 respondents.

There were 44 respondents that did not give an answer to this question representing 23.91% of the total of 184 respondents.

- 7.18 It is not possible to draw any specific conclusions from the above results of the consultation as not all respondents answered this question and some that did, preferred not to state their gender. However, of those that did, there was a 4.3% variance for male

responses and a 2.7% variance for female responses in comparison to the existing Benefits caseload data.

7.19 Table 9 – Gender Assignment

Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Yes	116	91.34
No	4	3.15
Prefer not to say	7	5.51
Totals	127	100

The overall response rate to this question was 69.02% of the total of 184 respondents.

There were 57 respondents that did not give an answer to this question representing 30.98% of the total of 184 respondents.

It is not possible to compare the data from the consultation responses with the Borough average as this information was not previously collated from the 2001 census.

7.20 Table 10 – Parenting Responsibilities

Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Yes	62	45.93
No	67	49.63
Prefer not to say	6	4.44
Totals	135	100

The overall response rate to this question was 73.37% of the total of 184 respondents.

There were 49 respondents that did not give an answer to this question representing 26.63% of the total of 184 respondents.

7.21 Table 11 – Sexual Orientation

Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Heterosexual	99	77.95
Gay Woman / Lesbian	1	0.79
Bisexual	4	3.15
Gay Man	3	2.36
Other	1	0.79
Prefer not to say	19	14.96
Totals	127	100

The overall response rate to this question was 69.02% of the total of 184 respondents.

There were 57 respondents that did not give an answer to this question representing 30.98% of the total of 184 respondents.

It is not possible to compare the data from the consultation responses with the Borough average as this information was not previously collated from the 2001 census.

7.22 Table 12 – Religion

Religion	Borough Average
Christianity	47.7%
Buddhism	1.0%
Hinduism	17.2%
Judaism	2.5%
Islam	12.3%
Sikhism	0.7%
Any other religion	1.1%
No religion	10.0%
Religion not stated	7.7%

Table 13 - Consultation Response

Religion of Respondent	Total of Responses	Responses as Proportion of Total (%)
Baha'i	1	0.75
Buddhism	0	0.00
Christianity	41	30.83
Hinduism	10	7.52
Jainism	0	0.00
Judaism	3	2.26
Islam	45	33.83
Sikhism	1	0.75
Taoism	0	0.00
Agnostic	2	1.50
Humanist	1	0.75
No Religious belief	18	13.53
Other	4	3.01
Prefer not to say	7	5.26
Totals	133	100

The overall response rate to this question was 72.28% of the total of 184 respondents.

There were 51 respondents that did not give an answer to this question representing 27.72% of the total of 184 respondents.

It is not possible to compare the consultation response with the existing Benefits caseload as this data is not currently held.

7.23 It is not possible to draw any specific conclusions regarding respondents' religion from the consultation response as not all respondents answered this question. However, from the responses received, there appears to be an over representation in comparison with census data from respondents whose religion was Islam and an under representation of responses from respondents whose religion was Christianity. There also appears to be an under representation of Hindu respondents.

7.24 Respondents were asked to indicate how important each of the Council's six key principles were to them with 1 being the most important and 6 the least important.

The results shown below indicate the number of respondents that ranked each of the 6 key principles. The final column "Ranking Average" shows the average ranking of importance for each of the 6 key principles concerned based upon responses received and indicates based upon the proportions of responses that principle 2 was most important to respondents (i.e. protecting vulnerable claimants). The principle that "everyone should contribute" was least important to respondents.

It should be noted that whilst there were 161 responses to principle 2, there were only 151 for principle 4 and differing numbers of responses for the other principles. This prevents a direct comparison of results for each principle although the variance between the responses to each principle is no more than 10.

Rank	1	2	3	4	5	6	Total	Ranking Average
Principle 1: Everyone should pay something	51	24	12	13	19	39	158	3.27
Principle 2: The most vulnerable claimants should be protected (from the minimum contribution)	72	32	24	12	7	14	161	2.33
Principle 3: The scheme should incentivise work	19	24	36	30	26	18	153	3.48
Principle 4: Everyone in the household should contribute	13	17	20	40	32	29	151	3.98
Principle 5: Better off claimants should pay relatively more so that the least well off receive greater protection	26	30	28	22	34	14	154	3.32
Principle 6: Benefit should not be paid to those with relatively large capital or savings	32	26	30	19	17	31	155	3.36

Note: The lower the average ranking means the higher the average preference as shown in the overall order of priority below.

Key Principle	Overall Priority
Principle 1: Everyone should pay something:	Second
Principle 2: The most vulnerable claimants should be protected (from the minimum contribution):	First
Principle 3: The scheme should incentivise work:	Fifth
Principle 4: Everyone in the household should contribute:	Sixth
Principle 5: Better off claimants should pay relatively more so that the least well off receive greater protection:	Third
Principle 6: Benefit should not be paid to those with relatively large capital or savings:	Fourth

Total that responded to question:	167
Total that skipped this question:	17
Total:	184

7.25 Respondents were asked to indicate the extent to which they agreed or disagreed that the Council's principles were fair and the results of these are summarised below.

Principle 1 – Every claimant of working age should pay 20% Council Tax

41.07% agreed that principle 1 was fair, 13.69% neither agreed nor disagreed and 45.24% considered the principle to be unfair. Each of the 168 respondents to this question answered this part. The results for this principle indicate that slightly more respondents disagreed that the minimum contribution of 20% was fair compared with those that considered it to be fair.

Principle 2 – Protect disabled claimants from the 20% minimum contribution

75% agreed that the principle was fair, 10.12% neither agreed nor disagreed and 11.9% considered the principle to be unfair. There were five respondents that answered the question for principle 1 but did not answer this part of the question and which account for 2.98%. The results for this principle indicate a majority of respondents considered the protection for disabled persons to be fair although not all of the respondents to principle 1 answered this part of the question.

Principle 3 – Increase earnings disregards by £10 per week

60.12% agreed that the principle was fair, 22.02% neither agreed nor disagreed and 13.69% considered the principle to be unfair. There were seven respondents that answered the question for principle 1 but did not answer this part of the question and which account for 4.17%. The results for this principle indicate a majority of respondents considered the increase in earnings disregards to be fair although not all of the respondents to principle 1 answered this part of the question.

Principle 4 – Double non-dependant deductions and introduce charge for job seekers

38.09% agreed that the principle was fair, 23.21% neither agreed nor disagreed and 34.52% considered the principle to be unfair. There were seven respondents that answered the question for principle 1 but did not answer this part of the question and which account for 4.17%. The results for this principle suggest a small majority of the respondents considered this principle to be fair although not all of the respondents to principle 1 answered this part of the question.

Principle 5 – Increase taper to 30%

27.98% agreed that the principle was fair, 32.14% neither agreed nor disagreed and 31.55% considered the principle to be unfair. There were fourteen respondents that answered the question for principle 1 but did not answer this part of the question and which account for 8.33%. The results for this principle suggest a small majority of the respondents considered this principle to be unfair although not all of the respondents to principle 1 answered this part of the question.

Principle 6 – Reduce savings limit

42.26% agreed that the principle was fair, 17.86% neither agreed nor disagreed and 37.5% considered the principle to be unfair. There were four respondents that answered the question for principle 1 but did not answer this part of the question and which account for 2.38%. The results for this principle suggest a small majority of the respondents considered this principle to be fair although not all of the respondents to principle 1 answered this part of the question.

Feature 1 – Abolish second adult rebate

33.34% agreed that the principle was fair, 25.6% neither agreed nor disagreed and 32.15% considered the principle to be unfair. There were fifteen respondents that answered the question for principle 1 but did not answer this part of the question and which account for 8.92%. The results for this feature suggest a small majority of the respondents considered this feature to be unfair although not all of the respondents to principle 1 answered this part of the question.

Feature 2 – Freeze premiums and allowances

37.5% agreed that the principle was fair, 25% neither agreed nor disagreed and 29.17% considered the principle to be unfair. There

were fourteen respondents that answered the question for principle 1 but did not answer this part of the question and which account for 8.33%. The results for this principle suggest a small majority of the respondents considered this principle to be fair although not all of the respondents to principle 1 answered this part of the question.

- 7.26 It can therefore be seen from the views expressed in the consultation that there was a polarisation of views for principle 1, strong agreement for principles 2 and 3, mixed views on principles 4, 5 and 6 possibly stemming in the case of principles 4 and 5 to an absence of understanding concerning the technical details of the proposal concerned
- 7.27 A sub-analysis has also been undertaken of responses to this question to determine how the results obtained may be affected by a respondent being in receipt of Council Tax Benefit and this is set out in detail in the Consultation Report attached at Appendix A.
- 7.28 In summary, this appears to indicate a clear distinction as to whether principle 1 is fair based upon whether the respondent is in receipt of Council Tax Benefit or not, principle 2 was agreed as being fair by the majority of both sets of respondents, principle 3 was agreed as being fair by the greater majority of both sets of respondents, principle 4 was agreed as being fair by the greater majority of non Benefit respondents than in the case of Benefit respondents, principle 5 was not agreed as fair by Benefit respondents but had an equal split of non Benefit respondents considering it unfair and principle 6 was considered unfair by a greater majority of Benefit respondents than non Benefit respondents.
- 7.29 Features 1 and 2 were agreed as being fair by the greater majority of non Benefit respondents compared to Benefit respondents although in the latter case, there was also a significant proportion of respondents that considered the proposals to be neither fair nor unfair.
- 7.30 From the above results, it would appear that the circumstances of a respondent particularly in terms of entitlement to Council Tax Benefit, influences their perception particularly as to whether the minimum 20% contribution towards Council Tax is fair. The protection proposed for certain claimants such as disabled persons was considered to be fair by the majority of all respondents as was the work incentive of an additional £10 per week earnings disregard. There were generally differing degrees of opinion expressed by Benefit and non Benefit respondents in relation to the other principles and features.

8. Financial Implications

- 8.1 A consultation paper on technical funding arrangements, with indicative allocations, was issued by DCLG on 17th May 2012. The consultation exercise for this ended on 12th July 2012 and the final allocation will be made later this year.

- 8.2 In brief, it is proposed that funding will be allocated using the government's forecasts of subsidised CTB expenditure in 2013/14, apportioned using the percentage of the overall spend made by individual authorities in 2011/12 (when audited). No allowance will be made for the proportion of pensioners to working age claimants within each authority. Indicative allocations based on the apportionment of expenditure in 2010/11 have been issued giving Brent £23.725m.
- 8.3 Taking account of the above methodology and using the indicative allocations based on the 2010/11 expenditure, Brent is likely to see a reduction of 13.7% rather than the headline 10%. The funding will be fixed and rolled into the Business Rates reform and will not take account of any growth in caseload or expenditure during 2013/14 or beyond, which will also now have to be fully met by Brent.
- 8.4 It should be noted that the Council will share the financial risk associated with the new arrangements with its major precepting authority (i.e. Greater London Authority – GLA). This is because CTS will be treated as a Council Tax discount, thus reducing the Council Tax base, rather than a rebate coming off a much higher tax base as is the current position. Thus where demand for CTB support increases (or decreases) compared to the forecast, the GLA would share the surplus of deficit arising on the collection fund at the end of the year as a consequence with the Council.
- 8.5 The GLA proportionate share for 2012/13 is 22.46%. On this basis, for every £1M in Council Tax Support costs in 2013/14 due to increases in caseload, the amount that the Council would be required to pay to the GLA would fall by £224,600 (i.e. the 22.46%) and hence the net cost to the Council would be £775,400. Consequently, the risk to the Council in this respect is mitigated to some degree. The relative proportionate share applicable to the Council (and hence the GLA) may vary year to year dependent upon the relative changes in Council Tax levels and this has been factored into the exemplifications contained in this report and shown in Appendix C.
- 8.6 The CTB caseload has grown by 3.3% in the 12 month period ending 31st March 2012 and this has resulted in growth equivalent to a 1.95% expenditure increase of £493,254. Current forecasts for 2012/13 indicate growth of approximately £0.5M which will need to be funded by the Council. A similar increase is currently anticipated for 2013/14 and has been modelled within the funding deficit exemplifications for the scheme shown in Appendix C. Changes in the general economic climate during 2012/13 and beyond will also impact upon the overall caseload trend.
- 8.7 Table 14 on page 30 below exemplifies the potential financial deficit to the Council in 2013/14 and 2014/15 applying a range of potential Council Tax level increases for the Council's share of the Council Tax only ranging from zero to 3.5% for 2013/14, assuming case load growth

in expenditure of £0.25M and £0.5M for 2013/14 and assuming a 2% increase in Council Tax levels for 2014/15 in all cases.

- 8.8 It excludes the effects of the GLA precept which has been removed from both the initial 10% funding reduction and from any subsequent caseload / expenditure increases and assumes that the 90% grant will remain unchanged in cash terms and does not allow for any reductions in the levels of CTS granted as a result of the new scheme.
- 8.9 The tables in Appendix C to this report indicate that dependent upon caseload growth and Council Tax levels set by the Council and applying the assumptions as set out above, the potential deficit to be met will range between £3.9M to £5.1M in 2013/14 and £4.5M to £5.7M in 2014/15. This would represent an average of £4.5M in 2013/14 and £5.1M in 2014/15. (i.e. A further £0.6M in 2014/15).
- 8.10 It is important to note that whilst Council Tax increases clearly generate more revenue for the Council, they will also produce a proportionate increase in CTS expenditure. This proportion is broadly 25% for Brent. Thus any additional revenue generated by a Council Tax increase would be offset by additional CTS expenditure broadly equivalent to 25% of the increase.
- 8.11 There are anticipated to be some consequential costs arising from the implementation of the local CTS scheme that are expected to include the following and which will be finalised once the Council's local Council Tax Support scheme has been determined by the Council.
- Impact on cash flow arising from delays in collecting Council Tax and the payment of the precept to the GLA,
 - Increased levels of Council Tax non collection and hence an increase in the bad debt provision
 - Increased costs of Council Tax collection arising from the need for additional personnel, increased volumes of notices impacting upon paper, enveloping, postage and printing costs, bailiff costs etc
 - Increased local CTS scheme administration costs
- 8.12 Officers are currently discussing the potential impact of the recommended scheme with Capita (i.e. the Council's Contractor for Revenue collection) and how this may be incorporated within contractual provisions together with localised Business Rates collection arrangements.
- 8.13 Potential resource requirements arising from increased workloads and actions to mitigate customer demand arising from welfare changes overall are also being developed with Capita to ensure that enquiries concerning reductions to Council Tax Support and discussions about payments and arrangements for payment are addressed in a "single-touch".

- 8.14 These potential resource requirements will be considered as part of a broader budget requirement for 2013/14 but the outcomes and decisions will have a direct impact upon Capita's ability to maximise collection.
- 8.15 Additional challenges are anticipated in collection arising from the implementation of Council Tax Support and difficulties in achieving full collection on the accounts affected may result in an overall collection rate that is less than the 97.5% currently built into the Council Tax Base. The assumed collection rate used in the Council Tax Base setting for 2013/14 will need to be given careful consideration as any anticipated reduction in future Council Tax collection rates would have the effect of increasing the Band D Council Tax unless a corresponding reduction in Council expenditure were to be provided. An overly optimistic collection assumption could lead to a need to declare a deficit on the Collection Fund in later years. Consideration will also need to be given to the other potential financial effects of the proposed scheme on the Collection Fund to prevent a deficit position from occurring (i.e. the scheme would need to raise sufficient additional Council Tax revenue).
- 8.16 The Government has provided set-up funding of £84K for Brent with a further £27K being provided to the GLA in its capacity as a major precepting authority. It is anticipated that software costs are likely to account for a significant proportion of these funds although the precise amount is currently unknown. The Government is currently evaluating administrative funding as a new burden.
- 8.17 Other financial implications may arise from applications made under existing powers contained within Section 13A of the Local Government Finance Act 1992. In general terms, these permit a Billing Authority to grant a discount where a person is liable to pay Council Tax in respect of a dwelling and to reduce the amount they have to pay to such extent as it thinks fit.
- 8.18 This power includes a provision to reduce the amount payable to nil and can 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.
- 8.19 This provision has not been widely used in the past but as a consequence of the changes to Council Tax Benefit, the cessation of Discretionary Housing Payments and the wider welfare reforms, is anticipated to lead to an increase in the number and hence value of such requests.
- 8.20 Any discount that may be granted under this provision will need to be met from the General Fund although this provision has been assumed within the overall collection rates modelled. With reference to section 5.9.1, the Council could consider the application of this section to

existing Council Tax Benefit claims for persons of pensionable age where a war widow's pension, war widower's pension or war disablement pension are received and which cannot be disregarded (i.e. ignored) as income under the new national rules for persons of pensionable age.

Table 14

	0% CTAX increase and £0.25M growth in caseload	0% CTAX increase and £0.5M growth in caseload	1% CTAX increase and £0.25M growth in caseload	1% CTAX increase and £0.5M growth in caseload	2% CTAX increase and £0.25M growth in caseload	2% CTAX increase and £0.5M growth in caseload	3.5% CTAX increase and £0.25M growth in caseload	3.5% CTAX increase and £0.5M growth in caseload
Yr 1	£3,995,550	£4,189,400	£4,269,590	£4,463,860	£4,545,266	£4,739,962	£4,958,768	£5,154,091
Yr 2	£4,548,285	£4,746,370	£4,829,482	£5,027,638	£5,110,671	£5,309,261	£5,532,444	£5,731,672

9. Meeting the funding deficit

- 9.1 There are potentially four permutations available for meeting the potential deficit projected from the implementation of the local CTS scheme and they are as follows:
- 9.1.1 Subsidisation of the current scheme by the Council via savings elsewhere in the General Fund;
 - 9.1.2 Reductions in Council Tax exemptions and discounts to generate more Council Tax revenue to partially offset the deficit;
 - 9.1.3 To devise a new Council Tax Support scheme to reduce projected expenditure levels;
 - 9.1.4 A combination of the above.
- 9.2 CTS Scheme options have been modelled on the assumption that a potential funding deficit would be financed from a combination of the options shown in 9.1.2 and 9.1.3 above thus minimising the potential cost falling on the general Council Tax payer. Thus, any proposed variations to reduce the impact on affected claimants would potentially require compensating reductions or changes elsewhere to meet the deficit from the General Fund or from other claimant groups.

10. Council Tax discounts and exemptions

- 10.1 This section deals with the second important decision which Members are being invited to make at the Special Full Council meeting which relates to the proposed changes to Council Tax discounts and exemptions. Following separate consultations, DCLG are allowing Local Authorities discretion concerning some of the currently nationally-set Council Tax discounts and exemptions and the relevant amendments have been made to the Local Government Finance Act 1992 by sections 11 and 12 of the Local Government Finance Act 2012. The decisions can only be made by Full Council. These are as follows:
- Class A exemptions (i.e. properties requiring major repair works or structural alterations to bring them back into a habitable condition) currently attract up to a 12 month exemption period. The proposal will permit LA's to award a discount within a range of 0% to 100% for the 12 month period.
 - Class C exemptions (i.e. unoccupied and unfurnished properties) currently entitle their owners to up to a six month exemption period. The proposal will permit LA's discretion to award a discount or discounts within the range of 0% to 100% for specified periods of time within the 6 month period.

- Second homes discount (empty furnished properties, including both genuine second homes and rented properties vacant between tenancies) currently entitles owners of the property concerned to a discount of between 10% and 50%. The Council currently awards a 10% discount in such cases. The proposals permit removal of this discount.
- Long-term empty properties currently require their owners to make full payment of Council Tax. The proposals permit LA's to apply a multiplier or premium after the property has been empty for over two years of up to 150% of the Council Tax liability to encourage their owners to bring them back into use.

10.2 Table 15 below shows the effects of the changes (subject to Full Council approval) proposed for Council Tax exemptions and discounts. Subject to approval, and based upon the achievement of a 90% collection rate for the additional Council Tax debit raised where appropriate, the deficit arising from the CTS funding gap may be mitigated by £1.26M. Table 16 shows the effect of the proposals on the potential CTS scheme funding shortfall. It is proposed that the following discounts be applied from 1st April 2013:

- Class A empty properties (requiring major repairs or undergoing structural alterations) – reduce the current 100% exemption to 50% discount for the first twelve months.
- Class C empty properties (vacant and substantially unfurnished) – reduce the current 100% exemption to zero so that the owners of such properties pay 100% of their Council Tax liability with immediate effect from the date of vacation.
- Second Homes – Remove the current 10% discount so that owners of such properties pay 100% of their Council Tax liability
- Long term empty properties – charge a 50% premium after they have been empty and unfurnished for 2 years so that the Council Tax liability for such properties is 150% (after two years).

10.3 In submitting these recommended proposals, the following information is provided in support of the changes concerned:

- There should be a differentiating factor applied to any discount awarded for properties that would otherwise qualify for a Class A or Class C exemption to reflect the physical state of Class A properties and the efforts being made by their owner(s) to bring them back into a reasonable state of repair;
- A 0% discount for properties that would otherwise qualify for a Class C exemption will encourage their owners to have them promptly

reoccupied and thus contribute towards reducing homelessness objectives;

- Landlords will have to pay full Council Tax on their empty properties in between lettings regardless of whether they are furnished or not. Currently, owners of furnished properties pay 90% as the property is treated as being a second home and owners of unfurnished property receive a six month exemption. This proposal will assist in providing an incentive to minimise any “occupation gap” between tenancies. It should be noted that Housing Associations may not be subject to the charge if they are a registered charity as they are likely to be entitled to an exemption for up to 6 months under Class B exemptions.
- It will no longer be necessary to inspect properties that would otherwise qualify for a Class C exemption as such an occurrence will render the owner of the property to payment of full Council Tax.

10.4 It is necessary to consider and make a decision regarding the above proposals at the same stage as the local Council Tax Support Scheme as any variation to the recommendations for these will require alternative sources of funding to be found to meet any resulting shortfall in funding for the local Council Tax Support Scheme.

Table 15

Type of discount / exemption and number of existing cases	Current position	Proposed change	Additional charges based on 50% discount for Class A and 0% discount for Class C
Class A uninhabitable (403)	12 month exemption	50% discount for 12 months	£390,000
Class C Unoccupied and unfurnished (529)	6 month exemption	0% discount	£938,000
Total Class A & C			£1,328,000
Less 10% bad debt*			-£133,000
Sub Total			£1,195,000
Second Homes (640)	10% discount	0% discount	£80,000
Long Term Empties (460)	100% Council Tax payable	150% Council Tax payable after being empty 2 years	£360,000
Total (2027)			£1,635,000
Less GLA share 22.46%			£367,221
Brent total share			£1,267,779

Notes

*Bad Debt provision – A provision for non-collection of 10% has been included within the financial model representing the fact that taxpayers may no longer be resident inside the Borough following the vacation of their home together with a potential increase in the number of relatively small Council Tax debts arising for short periods of time when the property was unoccupied.

- 10.5 An Equalities Impact Assessment for the recommended Council Tax discounts and exemptions changes has been included at Appendix G to this report.
- 10.6 Limited information is currently available on the Council Tax database and therefore it is not possible to analyse the potential impacts by ethnicity, race, faith, gender and sexuality. Nevertheless the following conclusions can be drawn:
- The changes affect non-resident owners. There is no evidence to suggest any particular group will be disadvantaged by the changes. Of the 2,000 properties affected approximately 65% are owned by private individuals, the remainder being owned by companies or other organisations,
 - The highest density of affected properties are in the least diverse wards within the Borough (e.g. Brondesbury Park and Mapesbury) with the fewest tending to be in those areas that are most diverse, (e.g. Stonebridge and Harlesden),
 - One of the significant effects of the changes is to encourage the use of empty properties and thus increase the housing supply,
 - The changes can only have a positive affect on the most vulnerable people in Brent as it will both ease pressures on the availability of housing as well as helping to negate the impacts of the reductions in funding to Council Tax Support.

11. Proposed Council Tax Support Scheme

- 11.1 The CTS scheme proposed following the consultation process and as outlined within this report is projected to deliver savings of £4,142,488. See section 5 of this report for scheme details and section 12 of this report for risks associated with the projected savings.
- 11.2 It should be noted that without the inclusion of Principle 1 within the Council's proposed scheme (the minimum Council Tax payment of 20%), it will not be feasible to achieve the required financial savings solely by making the other amendments to the CTB scheme. Consequently, removing the recommended minimum contribution of 20% could potentially result in approximately £3M of the funding gap falling on the General Fund with such a cost needing to be met from

compensating financial reductions elsewhere within the Council or by the general Council Tax Payer. Additionally, in the latter instant, if the proposed Council Tax level to be set for a year (including any provision to meet Council Tax Support costs) is more than 3.5% above an existing Council Tax level, a referendum shall be required.

- 11.3 A collection rate of 80% has been estimated for the purposes of the proposed financial model for the additional Council Tax requiring collection from claimants who may never have had to pay Council tax previously, or who are the least able to pay. This cannot be predicted with more precise certainty at this stage due to the uncertainty of future claimant behaviour. However, the financial impact of the proposals prior to the consultation process and subsequently adjusted based upon the responses received can be represented as shown in Table 16 below:

Table 16

	Scheme Proposals Consulted On	Scheme Proposals Recommended
1. Minimum contribution	20%	20%
2. Protection for disabled and recipients of war pensions	Yes	Yes
3. Protection for carers receiving carers allowance and recipients of guaranteed income payments under the Armed Forces Compensation Scheme	No	Yes
4. Increase earnings disregards	Yes	Yes
5. Increase charges for non-dependants	Yes	Yes
6. Increase taper to 30%	Yes	Yes
7. Reduce savings limit to £6,000	Yes	Yes
Estimated Council Tax collection rate	80%	80%
Net saving*	£4,247,909*	£4,142,488*

NB1 * Note should be taken of the financial risks and assumptions in Section 12 below.

NB2 * Projected savings should be viewed in the context of the potential net deficit figure that could range from £2.7M to £3.8M based upon the assumptions given in this report. (See Table 17 below).

Based upon the consultation proposals, an additional contingency of between £0.36M and £1.5M could be achieved respectively. Based upon the recommended scheme proposals, the revised contingency would be between £0.3M and £1.4M.

Table 17

	Col.1 Funding deficit based on nil increase in CTAX and £0.25M growth in cases for 2013/14	Col.2 Funding deficit based on 3.5% increase in CTAX and £0.5M growth in cases for 2013/14	Funding deficit based on Average of Columns 1 and 2
Brent share of CTS funding shortfall	£3,995,550	£5,154,091	£4,574,821
Brent share of increased revenue from Council Tax discount / exemption changes	(£1,267,779)	(£1,267,779)	(£1,267,779)
Net potential funding shortfall for Year 1 (2013/14)	£2,727,771	£3,886,312	£3,307,042
Recommended CTS Scheme Savings	(£4,142,488)	(£4,142,488)	(£4,142,488)
Overall Position 2013/14	£1,414,717	£256,176	£835,446

- 11.4 There are of course other variants to these potential changes, each with differing financial impacts. The intention is to submit a report to Full Council during the current financial year recommending these changes with effect from 1st April 2013 and with the inclusion of a full Equalities Impact Assessment.
- 11.5 The financial savings shown in Table 17 above would appear to achieve the levels of savings identified as required for 2013/14 and indeed show a projected surplus based upon the deficit projections outlined in that table. This provides some contingency in the event of lower than expected Council Tax collection and to meet the additional savings potentially required for year 2 and beyond. Currently, the number of future variances and unknowns – in particular claimants’ behaviour in the light of the welfare changes and caps to Housing Benefit, and the introduction of Universal Credit and other welfare reforms in 2013, make it impossible to adequately model a scheme for 2014/15 or beyond.
- 11.6 The potential contingency outlined above would also assist in meeting the anticipated extra costs for the scheme in 2014/15 arising from caseload growth and any increase in Council Tax levels and will help to reduce the need for revising the scheme in year 2 to make provision for

the increased deficit in that year. This will also assist in ensuring that as far as reasonably practicable, there is a degree of stability for claimants in terms of their eligibility for support and entitlement.

- 11.7 In accordance with statute, the Council will need to determine whether to revise its Council Tax Support scheme for 2014/15 based upon experience during 2013/14. It is considered desirable that if possible the proposed scheme should run for two years, allowing scope for a more radical change in scheme – aligning it more to the Council Tax discount system than the current Benefit system – in Year 3 (2015/16). This should coincide with a point where at least half of the working age benefits caseload will have been migrated to Universal Credit. It is worth noting that any proposals to amend the scheme in year 2 (i.e. 2014/15) would have to be developed by the summer of 2012/13 in order to accommodate consultation and decision making requirements.
- 11.8 Other financial unknowns which may affect the projections stated previously are given in section 12 below. Given the above, it is difficult to quantify with precision the overall financial and business risks or variance to the proposed scheme financial model. Whilst this does incorporate some mitigation for these risks through the removal of the annual uprating of financial amounts to be used in the scheme, it does not eliminate all risks.

12. Risks and assumptions of the recommended scheme

12.1 The following risks and assumptions have been identified:

- 12.1.1 The level of deficit cannot be determined with precise accuracy as the government will not be issuing final funding allocations until after the Autumn statement has been delivered in December. Additionally, certain data will need to be obtained from existing Council Tax Benefit claimants in preparation for the implementation of Council Tax Support. This includes for example whether they are in receipt of Disability Living Allowance.
- 12.1.2 The amendments to Council Tax exemptions and discounts outlined within section 10 of this report have been modelled to mitigate £1.26M of the funding deficit, but clearly collection of this amount cannot be predicted with precise accuracy.
- 12.1.3 It is intended that changes to the Council Tax exemptions and discounts may have a social benefit in bringing more empty properties into use in the borough. While this would reduce the savings quoted in the model, each house brought into occupation would attract a New Homes Bonus equivalent to the Council Tax Band D level for each property. Although the extent of this is difficult to predict as it relies on owners' and

landlords' behaviour, there would be a net gain to the Council for each of the properties affected.

- 12.1.4 The Local Government Finance Act 2012 enables the government to introduce regulations exempting certain types of property from the empty homes premium, for example where owners are genuinely trying to sell or let their property. To date, the Government has not introduced any such regulations regarding exemptions although should these powers be exercised, this may reduce the potential income level for this source.
- 12.1.5 Actual future caseload and expenditure growth cannot be determined with precise accuracy although estimates based on the profiles of current expenditure and caseload has been applied to the financial modelling.
- 12.1.6 The actual Council Tax collection rate for the claimants affected by the changes cannot be predicated with precise accuracy as many have not been required to pay Council Tax previously, and are also on low incomes. To this extent, estimates have been used based on an analysis of current collection rates for the different groups of customers affected and as set out in Appendix C to this report.
- 12.1.7 There will be a significant number of disabled claimants whose entitlement to a Disability Premium may be "hidden" within their DWP Benefit entitlement and therefore not currently visible to Brent's Benefit Section. An administrative exercise will be required to establish the full extent of this but the additional "protected" cases are estimated to reduce the savings figure shown above from the proposed scheme by approximately £250K based upon a sampling exercise undertaken.
- 12.1.8 The impact of the DWP's change from Disability Living Allowance to Personal Independence Payments in 2013/14 is likely to have the effect of reducing the number of protected claimants under the CTS scheme.
- 12.1.9. It is also not currently known how many "passported" claimants (in receipt of a DWP Benefit such as Income Support or Job Seekers Allowance (Income Based) etc), have capital or savings between £6000 and £16000. It is anticipated that the effects of this provision will increase the amount of financial savings produced by the scheme although based upon data from the existing non-passported caseload the numbers and hence savings are anticipated to be relatively small. (There are 336 out of 24,604 non-passported cases (i.e. 1.4%) affected by this recommended change).

- 12.1.10 Financial modelling has been undertaken using a tool provided by the Benefits software suppliers. There are some “bugs” within the tool whereby for example, there is an undercounting of the savings generated from changes to non-dependant charges. Manual work has been undertaken to examine this shortfall and has established that savings are being undercounted by approximately £250K (which would counteract the potential undercounting of disabled protected claims referred to in 11.1.6 above thus achieving a broadly neutral position).
- 12.1.11 Assurances have been sought from our software supplier that they can deliver the changes proposed in our scheme. Whilst they will not commit to definite development work until a final product specification is agreed, (anticipated to be after statute has been passed), they have stated that the provisions allowed for within their modelling tool and included within the Council’s draft scheme proposal will generally be available within their software with potentially one minor exception (i.e. automatic protection for persons in receipt of Disabled Persons Reduction for Council Tax purposes cannot be achieved and will therefore require manual application). Whilst this does provide a degree of assurance concerning the Council’s proposed scheme, it does mean that in the event of a failure to deliver the required software, implementation of the scheme could be compromised and the financial savings anticipated may not be realised.
- 12.1.12 As the IT software will not be available from the supplier until after statute has been passed, it is anticipated that this will not be available for testing purposes until later than normally required to carry out annual billing and year-end testing. There is therefore a risk that testing and application of the software will need to be conducted in a much constrained timescale and that any issues identified as a consequence may not be resolved within the required timescale thus affecting Council Tax bills issued.
- 12.1.13 The impact and effects of Universal Credit (UC) are unclear, especially for Year 2 and beyond. The scheme proposes that claimants in receipt of Universal Credit will be liable to pay a minimum of 20% towards their Council Tax bill unless they are protected within the terms of the scheme.
- 12.1.14 The impact of the recommended scheme on costs of Council Tax collection have not been included within the deficit modelling as they are subject to contract negotiations with Capita, the Council’s contractor for Council Tax collection.

These discussions will be finalised once a decision on the final scheme has been made by the Council.

- 12.1.15 Diminution of anticipated Council Tax receipts could result in a Collection Fund deficit position at the end of a financial year particularly as precept payments at present have to be paid to the GLA at an agreed monthly rate irrespective of Council Tax sums collected. The potential for entering into risk share arrangements with the GLA has been raised to evaluate whether this option may provide a means of mitigation should such a situation occur. It is currently unclear as to whether this will be regulated by statute or by local agreement although in either case, it is considered likely to have defined percentage trigger points in place to give flexibility to vary in-year precept payments. If a local agreement was required, the GLA would wish to adopt a London wide policy.
- 12.1.16 A potential risk arising from the recommended changes is in terms of Council Tax collection and hence bad debt provision. Any change to the existing bad debt provision will require a review of the provision allocated for that purpose. Reductions to budgeted collection rates also potentially affect the Council Tax base set which is used to determine the Band D Council Tax level for the Borough.
- 12.1.17 The combined effects of the wider welfare reforms and the recommended Council Tax Support scheme may result in demographic changes to the Brent population and influence customer decisions concerning where they live and work. This could potentially impact upon demand for other services such as schools admissions and housing although any impact may not be apparent until the scheme has been in operation for some time.
- 12.1.18 If the Council is unable to agree its scheme before 31st January 2013, the “default” scheme will have to be applied with the effect that the level of financial savings required to meet the funding gap will not be achieved. This would require the shortfall to be found either by making savings elsewhere or increasing Council Tax levels. Budget planning for 2013/14 will be at an advanced stage at this point and there will be limited time to implement plans that would enable full year savings to be achieved from other initiatives.
- 12.1.19 The use of Section 13A discounts under the Local Government Finance Act 1992 may increase as a consequence of the recommended changes and the wider welfare reforms and will need to be met by the General Fund.

13. Legal Implications

13.1 Local Government Finance Act 2012

13.1.1 The Local Government Finance Act 2012 came into force on 31 November 2012. DCLG published Policy Statements of Intent in May 2012 regarding a range of issues regarding Council Tax Support schemes so that local authorities could prepare draft Council Tax Support schemes and consult on them before the Local Government Finance Act completed its stages in Parliament before receiving Royal Assent on 31 October 2012. Regulations on the prescribed requirements of Council Tax Support schemes came into force on 27 November 2012. The key amendment which the House of Lords made to the Local Government Finance Act 2012 (now section 9 of the 2012 Act) was for the Government to independently review the impact of localised Council Tax Support Schemes after three years. The default scheme regulations were laid before parliament on 22nd November and will become effective on 18th December 2012.

13.1.2 Details as to what is set out in the Local Government Finance Act 2012 in relation to local authorities setting up Council Tax Support / Reduction schemes are set out below.

Requirements of Council Tax reduction scheme

13.1.3 In relation to the content that must be set out in a Council tax reduction scheme, that is currently set out in section 10 of the Local Government Finance Act 2012 and in clause 1 of Schedule 4 which inserts Schedule 1A to the Local Government Finance Act 1992 ("LGFA 1992") and paragraph of the new Schedule 1A of the LGFA 1992. Under these provisions, a Council Tax reduction scheme must state the following:

- (1) A scheme must state the classes of persons who are to be entitled to a reduction under the scheme;
- (2) A scheme must set out the reduction to which persons in each class are to be entitled (and different reductions may be set out for different classes);
- (3) A scheme must state the procedure by which a person may apply for a reduction under a scheme;
- (4) A scheme must state the procedure by which a person can make an appeal under section 16 of the LGFA 1992 against any decision of the authority which affects (a) the person's entitlement to a reduction under the scheme, or (b) the amount of any reduction to which the person is entitled;
- (5) A scheme must state the procedure by which a person can apply to the authority for a reduction under section 13A(1)(c) of the LGFA 1992.

- 13.1.4 As for stating the classes of people who are to be entitled to a reduction under a scheme, classes may be determined by reference to the following:
- (i) The income of any person liable to pay council tax on the authority in respect of a dwelling;
 - (ii) The capital of any such person;
 - (iii) The income and capital of any other person who is a resident of the dwelling;
 - (iv) The number of dependants of any person within paragraph (i) or (iii) above;
 - (v) Whether the person has made an application for the reduction.
- 13.1.5 As for stating the reduction to which persons in each class are to be entitled and if different reductions are set out for different classes, a reduction may include the following detail:
- (a) A discount calculated as a percentage of the amount which would be payable apart from the scheme;
 - (b) A discount of an amount set out in the scheme or to be calculated in accordance with the scheme;
 - (c) Expressed as an amount of council tax to be paid (lower than the amount which would be payable apart from the scheme) which is set out in the scheme or is to be calculated in accordance with it; or
 - (d) The whole amount of council tax (so that the amount payable is nil).
- 13.1.6 The Local Government Finance Act 2012 states that for each financial year, Councils must consider whether to revise its Council Tax Support scheme or replace it with another scheme and that such decisions need to be made by 31 January in the financial year preceding that for which the revision or replacement scheme is to take effect. If the Council does not make a Council Tax scheme by 31 January 2013, a default scheme will be imposed on the Council which will be effective from April 2013, the effect of which has been set out above in this report. Regulations on the workings of the default scheme were laid before parliament on 22nd November 2012 and will become effective from 18th December 2012. Only Full Council has the power to make a Council Tax Support Scheme.

Consultation

- 13.1.7 The Local Government Finance Act 2012 states that the Council must consult with the GLA, which is a precepting authority, when preparing a Council tax reduction scheme and that thereafter, the Council must publish a draft Council Tax reduction scheme and then consult with other such persons who are likely to have an interest in the operation of such a scheme. Thereafter, the Council (i.e. Full Council) has to make the Council Tax Support scheme by 31 January 2013 and publish that scheme failing which a default scheme will be imposed on the Council.
- 13.1.8 Although there is much case law regarding consultation, the four basic requirements of consultation are set out in the case of *R v Brent LBC*

ex parte Gunning (1986) 84 LGR 168, which has been approved by the Court of Appeal in a number of subsequent cases, and they are as follows: (i) consultation must be at a time when proposals are at a formative stage; (ii) that the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response; (iii) adequate time must be given for consideration and response (iv) the product of consultation must be taken conscientiously taken into account in finalising any proposals.

13.1.9 Although the Government's code of practice on consultation states that normally a period of 12 weeks of consultation is appropriate, DCLG has stated in its Statement of Intent that local authorities may wish to consider the appropriate length of consultation depending on the impact of their proposals and the ability to complete the consultation exercise within their budgetary timetables. As set out in this report, the consultation period regarding the Council's Council Tax Support scheme proposals was set for just under nine weeks. This was in order to allow sufficient time for the consultation to be considered and analysed for the Council to go through its internal decision making processes including Executive and then to Full Council. The other reason for the shorter consultation period is so that a decision by the Special Full Council in December 2012 will fit in with the Council's budget cycle as decisions regarding the Council's budget for 2013-14 will be at an advanced stage by December 2012. Officers would have preferred for the decision on the Council Tax Support scheme to be made at November's Full Council meeting but this was not possible because a final scheme could not be put before Members for approval until the Local Government Finance Act 2012 came into force and for consequential regulations on CTS and the default scheme to be published and considered. The deadline for the Council Tax reduction scheme to be approved by Full Council is 31 January 2013. If this deadline is not met, a default scheme will be imposed on the Council, as has been explained in paragraph 3.3 above in this report, and will be effective from April 2013. DCLG has published regulations regarding prescribed requirements for Council Tax Support Schemes and they have been approved by Parliament and have been effective from 27 November 2012. Default scheme regulations were laid before parliament on 22nd November 2012 and will become effective on 18th December 2012. There are anticipated changes to the rates to be applied for pensioner claims for 2013/14 that are expected at some stage in December although a precise date for issues of these is not available.

13.1.10 Sections 11 and 12 of the Local Government Finance Act 2012 also gives billing authorities the discretion to vary the discounts applicable to specific classes of empty property, second homes and long term, empty properties with effect from 1/4/2013 as follows:

- Class A exemptions (i.e. properties requiring major repair works or structural alterations to bring them back into a habitable condition).

These are currently exempt from Council Tax for up to 12 months. The change in statute permits Local Authorities to award a discount within a range of 0% to 100% for the 12 month period.

- Class C exemptions (i.e. unoccupied and unfurnished properties) which currently entitle their owners up to a six month exemption from Council Tax. The change in statute permits Local Authorities to award a discount or discounts within the range of 0% to 100% for specified periods of time within the 6 month period.
- Second homes discount (empty furnished properties, including both second homes and rented properties vacant between tenancies). A discount of between 10% and 50% is currently permitted by statute and the Council currently provides a 10% discount. However the change in state now permits a discount of between 0% and 50% for these homes from 1st April 2013.
- Long-term empty properties currently require their owners to make full payment of Council Tax. The statute permits Local Authorities to apply a multiplier or premium after the property has been empty for over two years of up to 150% of the Council Tax liability to encourage their owners to bring them back into use. However it should be noted that this provision allows the Government to make regulations exempting certain properties from this premium providing certain criteria are met.

The above-mentioned changes to the Council's Council Tax discounts and exemptions can only be made by Full Council.

13.2 Public Sector Equality Duty

13.2.1 The public sector equality duty, as set out in section 149 of the 2010 Act, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, and to advance equality of opportunity and foster good relations between those who have a "protected characteristic" and those who do not share that protected characteristic.

13.2.2 Direct discrimination occurs if, because of a protected characteristic, a local authority treats a person less favourably than it treats or would treat others.

13.2.3 Indirect discrimination occurs if a local authority applies the same provision, criterion or practice to everyone, but it puts those in a certain protected group at a "particular disadvantage" when compared with persons who are not in that protected group. Even if a "particular disadvantage" arises, indirect discrimination does not arise if the provision, criterion or practice can be justified – i.e. if it is a proportionate means of achieving a legitimate aim.

- 13.2.4 The Council must pay due regard to any obvious risk of such discrimination arising in respect of the decision before them. These matters are examined in the EIA.
- 13.2.5 The “protected characteristics” are: age, disability, race (including ethnic or national origins, colour or nationality), religion or belief, sex, sexual orientation, pregnancy and maternity, and gender reassignment. Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.
- 13.2.6 Having “due regard” to the need to “advance equality of opportunity” between those who share a protected characteristic and those who do not includes having due regard to the need to remove or minimise disadvantages suffered by them. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and to encourage those who have a protected characteristic to participate in public life. The steps involved in meeting the needs of disabled persons include steps to take account of the persons’ disabilities. Having due regard to “fostering good relations” involves having due regard to the need to tackle prejudice and promote understanding.
- 13.2.7 The Council’s duty under section 149 of the Equality Act 2010 is to have “due regard” to the matters set out in relation to equalities when considering and making decisions on the provision of localised council tax support for the area of Brent. Due regard to the need to eliminate discrimination, advance equality and foster good relations must form an integral part of the decision making process. When the decision comes before the Executive, Members of the Executive must consider the effect that implementing a particular policy will have in relation to equality before making a decision. An Equality Impact Assessment will assist with this.
- 13.2.8 There is no prescribed manner in which the equality duty must be exercised, though producing an Equality Impact Assessment is the most usual method. The Council must have an adequate evidence base for its decision making. This can be achieved by means including engagement with the public and interest groups and by gathering detail and statistics on who claims Council tax benefit and who benefits from certain discounts and exemptions which may be under consideration for changing.
- 13.2.9 Where it is apparent from the analysis of the information that the policy would have an adverse effect on equality, then adjustments should be made to avoid that effect and this is known as “mitigation”.
- 13.2.10 The public sector equality duty is not to achieve the objectives or take the steps set out in section 149 of the Equality Act 2010. The duty on

the Council is bring these important objectives relating to discrimination into consideration when carrying out its public functions (in this case, designing a localised scheme for Council tax support within Brent). The phrase “due regard” means the regard that is appropriate in all the particular circumstances in which the Council is carrying out its functions. There must be a proper regard for the goals set out in section 149 of the 2010 Act. At the same time, when the Members of the Council make their decision on what scheme to adopt for localised council tax support, they must also pay regard to countervailing factors which it is proper and reasonable for them to consider. Budgetary pressures and economic and practical factors will often be important. The amount of weight to be placed on the countervailing factors in the decision making process will be for Members of the Executive to decide when it makes its final decision.

13.2.11 The detailed Equality Impact Assessment for the proposed Council Tax Support Scheme is set out in Appendix D to this report.

13.2.12 The detailed Equality Impact Assessment for the Council Tax Discount and Exemptions proposals is set out in Appendix G to this report.

13.3 Other duties

In addition to the Public Sector Equality Duty, the Department for Communities and Local Government advises that the following should also be taken into account when setting up a Council Tax Reduction Scheme:

- Child Poverty Duty under the Child Poverty Act 2010;
- Homelessness Act 2002;
- Armed Forces Covenant;
- Chronically Sick and Disabled Persons Act 1970,
- Disabled Persons (Services, Consultation and Representation) Act 1986,
- and the Children Acts 1989 and 2004.

These are set out in more detail below.

13.4 Child Poverty Duty

13.4.1 Under section 21 of the Child Poverty Act 2010 (“the 2010 Act”), the Council must make arrangements to promote co-operation with each of its partner authorities (which include the Metropolitan Police, Transport for London, a strategic health authority, primary care trust and a youth offending team established under section 39 of the Crime and Disorder Act 1998) and other persons as it sees fit with a view to reducing, and mitigating the effects of, child poverty, in the Council’s area. In doing this, the Council must have regard to any guidance given to them by the Secretary of State in exercising their functions under this section.

13.4.2 Under section 22 of the 2010 Act, it states that the arrangements which the Council makes under section 21 of the Act (as set out in the previous paragraph) must include arrangements to prepare and publish an assessment of the needs of children living in poverty in its area, which is known as a “local child poverty needs assessment”. The Council must also have regard to any guidance given to it by the Secretary of State when exercising these functions.

13.4.3 Under section 23 of the 2010 Act, it states that the arrangements which the Council makes under section 21 of the Act (as set out in two paragraphs above) must include arrangements to prepare a joint child poverty strategy in relation to its area. Section 23(2) of the Act states that the joint child poverty strategy must set out measures that it proposes to take for the purpose of reducing, and mitigating the effects of, child poverty in its area. The Council must have regard to any guidance given to it for this purpose by the Secretary of State and the Council must have regard to its joint child poverty strategy when exercising its functions.

13.4.4 Under section 24 of the 2010 Act, it states that the Council’s sustainable community strategy (which is prepared pursuant to section 4 of the Local Government Act 2000 under its “well-being” power) must include the following: (i) any arrangements made under section 21 of the Act to co-operate to reduce child poverty in the Council’s area; (ii) any local child poverty needs assessment prepared under section 22 of the Act (local child poverty needs assessment) and (iii) any joint child poverty strategy prepared under section 23 of the Act (joint child poverty strategy for the area).

13.4.5 Officers consulted with colleagues in the Council department for Children and Families and Strategy, Partnerships and Improvement to ensure that their views and input, especially regarding the duty to mitigate the effects of child poverty, are taken into account.

13.4.6 The responses received from these services in relation to the proposed scheme and the consideration applied to these is contained in Appendix A to this report.

13.5 Homelessness Act 2002

13.5.1 Under section 1(1) and 3(1) of the Homelessness Act 2002, local housing authorities have a duty to formulate a homelessness strategy in order to enable them to prevent homelessness and secure sufficient accommodation for those who are or may become homeless within their district and secure the satisfactory provision support for those persons in their district who are or may become homeless, or have been homeless and need support to prevent them from becoming homeless again.

13.5.2 DCLG has provided the following guidance to local authorities in its May 2012 document entitled: “Localising Support for Council Tax: Vulnerable people – key local authority duties”:

“In considering how to promote their local reduction schemes, local authorities will want to consider how information about council tax reductions is made available to these households once they are secured accommodation;

Taking into account the Equality Duty, local authorities will want to have regard to vulnerable individuals for whom the local authority secures accommodation, or who are at risk of becoming homeless – for example, young people or individuals suffering from mental illness.”

13.5.3 Officers consulted with colleagues in the Housing Service for their views and input and the response received and consideration applied to this is contained in Appendix A to this report.

13.6 Armed Forces Covenant

13.6.1 DCLG has also given guidance to local authorities regarding the Armed Forces Covenant.

13.6.2 Under the existing Council Tax Benefit Regulations 2006, local authorities have been required to disregard the first £10 per week of War Pension Scheme and Armed Forces Compensation Scheme payments when assessing entitlement to Council Tax Benefit. In addition, local authorities currently have discretion to top-up the disregard to the full amount and they have encouraged by DCLG to do so in line with Armed Forces Covenant Principles and this option is still open to local authorities in designing a new system.

13.6.3 The Council proposes to provide protection to claimants where they or their dependants are in receipt of a war widow’s pension, war widower’s pension, war disablement pension or a guaranteed income payment or survivor’s guaranteed income payable under the Armed Forces Compensation Scheme.

13.7 Chronically Sick and Disabled Persons Act 1970

13.7.1 The duties relating to disabled persons come under the adult social care functions of the Community Care department of the Council under the National Assistance Act 1948 and the related legislation under this 1970 Act. Section 1 of the 1970 Act states that it is the duties of Councils (including Brent) that have functions under section 29 of the National Assistance Act 1948 to inform themselves of the number of persons to whom that section applies within their areas and of the need for the making by the Councils of arrangements under that section for such persons. Under section 29 of the National Assistance Act 1948, a local authority may make arrangements for promoting the welfare of

persons to aged eighteen or over who are blind, deaf or dumb, or who suffer from mental disorder of any description and other persons who are substantially and permanently handicapped by illness, injury, or congenital deformity or such other disabilities as may be prescribed by Parliament.

13.7.2 Under section 2 of the 1970 Act, where a local authority has functions under section 29 of the National Assistance Act 1948 is satisfied that in the case of any person to whom that section applies who is ordinarily resident in their area that it is necessary to meet the needs of that person for that authority to make arrangements for a number of matters which are listed in that section. These include practical assistance for the person in their home, providing or assisting in obtaining recreational facilities (including wireless and TV) and provision of meals where the person would need assistance from the Council because they are sick and/or chronically disabled.

13.8 Disabled Persons (Services, Consultation and Representation) Act 1986

13.8.1 Under section 2 of this 1986 Act, a Council must permit an authorised representative of a disabled person, if so requested by the disabled person: (a) to act as the representative of the disabled person in connection with the provision by the Council of any services for him in the exercise of any of their functions under the welfare enactments; and (b) to accompany the disabled person (otherwise than as a representative) to any meeting or interview held by or on behalf of the Council in connection with the provision by them of any such services. The remainder of section 2 of the 1986 Act sets out further details.

13.8.2 Under section 3 of the 1986 Act, on any assessment carried out by the Council under the 1986 Act or any other occasion, where it falls on the Council to decide whether the needs of a disabled person call for the provision by the Council (in accordance with its welfare enactments) of any statutory services for that person, the Council shall afford an opportunity to the disabled person or his authorised representative to make (within a reasonable period as the Council may allow for the purpose) representations to an officer of the Council as to any needs of the disabled person calling for the provision by the Council of any statutory services for him (in accordance with any of the welfare enactments).

13.8.3 Under section 4 of the 1986 Act, when requested to do so by a disabled person, his authorised representative or his carer, a Council must decide whether the needs of the disabled person call for the provision by the Council of any services under section 2(1) of the Chronically Sick and Disabled Persons Act 1970, which have been set out above.

13.8.4 Section 5 of the 1986 Act deals with disabled persons leaving special education and section 7 deals with persons discharged from hospital.

13.8.5 These adult social care functions are carried out by the Adult Social Care department of the Council.

13.9 Children Acts 1989 and 2004

13.9.1 The basic child care functions of the Council are set out in section 17 of the Children Act 1989 which places a general duty on every Council: (a) to safeguard and promote the welfare of children within their area who are in need; and (b) as far as is consistent with that duty, to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children's needs.

13.9.2 Under section 10 of the Children Act 2004, the Council is under a duty to have arrangements in place to co-operate with relevant partners with a view to improving the well-being of children in the Council's area. Section 11 of the Children Act 2004 states that the Council must make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children.

14. Timetable of Events

14.1 The timescales for approval and implementation of the localised Council Tax scheme are extremely tight. The First Reading of the Local Government Finance Bill took place on 19th December 2011 and little information had been provided to authorities until May 2012. The Local Government Finance Act 2012 only received Royal Assent on 31 October 2012. Indeed, the regulations concerning pensioner claims and other prescribed requirements of local schemes were laid before parliament on 22nd November 2012 and became effective on 27th November 2012. Default scheme regulations were laid before parliament on 22nd November 2012 and become effective on 18th December 2012.

14.2 As previously set out in this report, if the Council is unable to agree its scheme before 31st January 2013, the "default" scheme will have to be applied with the effect that the level of financial savings required to meet the funding gap will not be achieved. This would require the shortfall to be found either by making savings elsewhere or increasing Council Tax levels.

14.3 A timetable of key dates leading to full implementation of the scheme is provided as Appendix E to this report.

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Appendices

Appendix A – Consultation Report

Appendix B – Scheme Options Considered

Appendix C – Financial Modelling of Scheme

Appendix D – Equalities Impact Assessment Council Tax Support Scheme

Appendix E – Timetable of Key Events

Appendix F – Council Tax Reduction Scheme Transition Funding

Appendix G – Equalities Impact Assessment Discounts / Exemptions

Appendix H – Council Tax Support Scheme (to be issued under separate cover)

Appendix A

London Borough of Brent - Customer Services

Local Council Tax Support Scheme - Consultation

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Appendix A1 – Draft Council Tax Support Scheme

Appendix A2 – Letter to Voluntary Organisations

Appendix A3 - Consultation Questionnaire

Appendix A4 – ACF Forums Questions and Answers

Appendix A5 – Voluntary Sector Service User Forum

Appendix A6 – Comments Received and Responses from Consultation
Questionnaires

1.0 Executive Summary

- 1.1 The Council undertook a consultation on its proposals for replacing the existing national Council Tax Benefit scheme with a local Council Tax Support scheme in compliance with draft statutory requirements.
- 1.2 The 9 week consultation period ran from 11th June 2012 until 10th August 2012 in recognition of the fact that policy statements of intent (PSOI's) were only published by the Department for Communities and Local Government on 17th May 2012 and to permit sufficient time for responses to be evaluated and for the financial implications to be included within the Council's budget setting timetable.
- 1.3 The consultation was undertaken through the following means:
 - A consultation questionnaire was available on line and on paper,
 - Public meetings were attended by members and officers,
 - Members and officers attended Area Consultative Forums,
 - Officers attended service user forums,
 - Email correspondence including responding to detailed enquiries
 - Publication of information on the Council's website,
 - Meetings with welfare advice, interest groups and individuals attended by officers.
- 1.4 The consultation also benefited from initial media coverage in the local newspapers at the commencement of the consultation.
- 1.5 Data comprised within this report for the Borough as a whole has been compiled from 2001 census data as the most recent 2011 census data is not yet available. Consequently, the reliability placed upon this should be given caution. Additionally, the low response rate to the consultation means that the degree to which this is representative of the population as a whole should be given caution. For example, response rates from some minority groups are higher than the Borough population suggesting a degree of bias is present in the results obtained. Also, a number of respondents did not answer all of the questions or may have given more than one response to some questions that may have the effect of distorting some of the results.
- 1.6 In view of the comments outlined in section 1.5 above, Members should be aware of these potential shortcomings as they consider the weight they give to the outcomes of the consultation alongside other drivers for change, including the equalities impact assessment.

2.0 Purpose and scope of the consultation

- 2.1 The purpose of the consultation was to engage with the GLA, residents and organisations within Brent concerning the Council's proposals for its local Council Tax Support scheme as required by draft regulations issued at that time.

- 2.2 The consultation commenced with the GLA on 25th May 2012 in compliance with draft regulations concerning the sequence in which key activities were to occur. The Council's draft scheme was published on the Council website on 8th June 2012 and available for access from the 5 public libraries (i.e. excluding Kilburn which was closed for refurbishment during the consultation period) and customer service local offices within the Borough from the same date. The consultation questionnaire was available for accessing online and in hard copy format from the same venues from 11th June 2012.
- 2.3 The consultation informed residents and other stakeholders of the intended changes and the Council's proposals for addressing these. Access to the Council's draft scheme was also available from the Council website and the locations outlined in section 2.2 above. A copy of the draft scheme is included in Appendix A1 to this document.
- 2.4 Respondents were asked the following questions:
- To rank in order of importance their preferences for each of the proposed changes,
 - To state whether they agreed or disagreed that each of the proposed changes was fair
 - To give details of any other groups that the Council should protect from the proposed changes and reasons
 - To add any additional comments to support responses given to the ranking of importance and fairness questions or alternative options that the Council should consider
 - To comment on whether the proposed changes are likely to affect particular individuals or groups more than others and if so, how these may be addressed
 - To provide any other additional comments concerning the proposals
- 3.0 Current use of Council Tax Benefit Services**
- 3.1 The Council collects and applies a significant amount of data about Council Tax Benefit recipients through the Benefit application process generally and via a range of online resources.
- 3.2 The core methodologies applied for the consultation were intended to facilitate a qualitative and quantitative picture to be determined of current Benefit Service customers as well as to obtain the views of residents and other stakeholders on the options for delivering the new Council Tax Support service.
- 3.3 There are currently 35,792 (i.e. 31.7%) Council Tax Benefit claimants out of the 112,603 Council Tax Payers in the Borough of which 24,604 (i.e. 68.7% of claimants) are directly affected by the proposed changes. The remaining 11,188 (i.e. 31.3%) claimants are persons of pensionable age that will generally be protected from the effects of the changes.
- 3.4 A consultation is almost always partial as non-users of services and those perceived as least affected by the proposed change are less likely to get involved. However, given the above and the other caveats indicated within

this report, the data gathered from the consultation, including the questionnaire responses can generally be used to assist and inform the development of the service offer.

3.5 Analysis of the specific answers received and the further comments contributed provides evidence of customer views and needs in relation to Benefits services.

3.6 The revised Council Tax Support service offer will outline the ways in which those needs are to be met and advantages of these for both individuals and the wider community.

4.0 Methodology

4.1 A range of approaches were used to capture responses to the proposals for the Council's Local Council Tax Support Scheme as set out below:

- All consultation documentation including the questionnaire was available on Brent Council's Consultation Tracker website - www.brent.gov.uk/consultation
- A specific email address was provided and included on consultation documentation to deal with any requests for information or to log supplementary comments. All correspondence has been logged and has been referenced within this report.
- A text message was sent on two occasions to 2694 existing Benefit customers outlining the nature of the consultation and providing details of how to access the consultation documentation
- An email was sent on two occasions to approximately 1770 existing Benefit claimants outlining the nature of the consultation and providing details of how to access the consultation documentation
- A leaflet was issued with 13,000 Council Tax bills to Council Tax Payers in the Borough outlining the nature of the changes and providing details of how to access the consultation documentation.
- Meetings and presentations were held with organisations including the voluntary sector comprising representatives (and in some instances members) of Mencap, Citizens Advice Bureau, Help Somalia Foundation, Advocacy Project, Private Tenant Rights User Group, Older Persons Partnership Board, Brent Housing Partnership, Brent Mental Health User Group and representatives from Lynton Close Travellers Site. Proposals were outlined and comments and options were provided as appropriate and confirmed by Council representatives in writing.
- An email was sent to 600 Area Consultative Forum members and 640 Citizens Panel members on two occasions outlining the nature of the consultation and providing details of how to access consultation documentation.

- Paper copies of the documentation were distributed upon request and were available at each of the Brent Council Libraries (excluding Kilburn that was closed for refurbishment during the consultation period), and Customer Services Local Offices at the Town Hall, Willesden Green and Brent House.
- Alternative formats of consultation documentation were available on request.
- A feature on the consultation was published in both the May and July edition of the Brent Magazine and the consultation was publicised in the local media including the Harrow Times and the Brent and Kilburn Times at the commencement of the consultation.
- Two public meetings were arranged and held at Willesden Mosque and Brent Town Hall respectively for which there were 16 attendees.
- Council proposals were outlined at each of the 5 Area Consultative Forums for which there were 267 attendees.
- A pop up screen outlining the nature of the consultation and how to access the online consultation documentation was activated each time one of the Brent public library PC's was accessed by a customer. During the consultation period, there were 5,607 customer sessions where this message was displayed.
- Letters outlining the consultation arrangements were sent by post / email to 30 organisations including Housing Associations with a property interest in the Borough and welfare organisations to inform them of the nature of the consultation and how they may access the consultation documentation.
- Letters outlining the consultation arrangements were sent by email to 136 voluntary organisation representatives on 11th June 2012 informing them of the nature of the consultation and how they may access the consultation documentation. (See Appendix A2 for letter issued).
- Letters outlining the consultation arrangements and how to access the consultation documentation were also sent to the three Brent MP's and Chamber of Commerce.
- The Voluntary Sector Service Users Forum meeting on 21st June was attended by 20 people representing 18 voluntary organisations where the consultation arrangements were outlined. A briefing note was given to the attendees informing them of how they may access the consultation documentation and attendees were advised to meet with officers as appropriate if they wished to obtain further details about the scheme.

- Posters advertising the consultation and how to access documentation were displayed on 80 advertising hoardings around the Borough for a period of two weeks from 24st July 2012.
- A focus group meeting was arranged for 3rd August 2012 with 9 Council Tax Benefit claimants although only one attended the meeting.

4.2 Correspondence with Council officers and records of Question and Answer sessions at public meetings and forums have been logged and have helped to inform the analysis of the consultation feedback and the findings of this report.

5.0 Consultation Responses – Analysis

5.1 The format of the questionnaire used for the consultation is shown in Appendix A3 of this report.

5.2 This was made available on the Council's Consultation Tracker throughout the consultation period and printed copies of the document were distributed at all meetings and forums attended. Printed copies were also available upon request and were available at Brent Council libraries (excluding Kilburn which was closed for refurbishment during the consultation period) and Customer Services Local Offices.

5.3 There were 184 consultation questionnaire responses received, comprising 97 online responses (52.7%) and 87 paper responses (47.3%).

5.4 The consultation questionnaire response rate is lower than had been anticipated although comments were also received from a number of organisations that were either visited as part of the consultation programme or who submitted written comments for consideration.

5.5 Table 1 below shows the analysis of ethnic groups obtained from the consultation questionnaire responses compared to that of the Brent population based upon 2001 census data and the existing Council Tax Benefits caseload.

Table 1

Ethnic Group	Proportion of Borough Population	Proportion of Benefits Caseload	Number of Consultation Responses	Proportion of Responses Received (%)
Asian:Bangladeshi	0.5	0.6	1	0.70
Asian: British	0	0	4	2.82
Asian: Chinese	1.1	0.4	1	0.70
Asian: Indian	18.5	8.0	12	8.45
Asian: Pakistani	4.0	3.6	6	4.23
Asian: Other	4.8	11.3	6	4.23

Black: African	7.8	18.8	12	8.45
Black: Caribbean	10.5	15.2	14	9.86
Black: Somali	0	0	19	13.38
Black: Other	1.6	1.5	3	2.11
Mixed: White and Black Caribbean	1.0	1.1	2	1.41
Mixed: White and Black African	0.7	1.0	0	0
Mixed: White and Asian	1.0	0.7	0	0
Mixed: Other	1.1	1.0	1	0.70
White: British	29.2	15.7	35	24.65
White: Irish	7.0	5.0	1	0.70
White: Other	9.1	11.7	12	8.45
Other	2.3	4.4	8	5.63
Prefer not to say	0	0	5	3.52
Total	100	100	184	100

Notes:

1. The above totals do not equate to 100% in all cases due to rounding differences.
2. There were 42 respondents that did not answer this question.
3. Black: British has been included within the group Black: Other in the table above.
4. Black: Somali has been shown as a separate group for the purposes of the consultation responses although in the census and for the Benefits caseload generally, this group is likely to have been incorporated within Black: African.
- 5.6 Table 2 below shows how the proportions of each group as represented by the Borough population and Benefits caseload compare to that obtained from the consultation responses received. This indicates that Asian: Pakistani, Black: African, Black: Caribbean, and White: Other have the closest representation from the consultation responses to the 2001 census data and that Asian: Indian has the closest representation from the consultation responses to the Benefits caseload allowing for a 10% variance.

Table 2

Ethnic Group	Proportion of Borough Population (A)	Proportion of Benefits Caseload (B)	Proportion of Responses Received (C)	% Difference between Population and Responses	% Difference between Benefits Caseload and Responses
Asian:Bangladeshi	0.5	0.6	0.7	40	17
Asian: British	0	0	2.82	#DIV/0!	#DIV/0!
Asian: Chinese	1.1	0.4	0.7	-36	75
Asian: Indian	18.5	8	8.45	-54	6
Asian: Pakistani	4	3.6	4.23	6	18
Asian: Other	4.8	11.3	4.23	-12	-63
Black: African	7.8	18.8	8.45	8	-55
Black: Caribbean	10.5	15.2	9.86	-6	-35
Black:Somali	0	0	13.38	#DIV/0!	#DIV/0!
Black: Other	1.6	1.5	2.11	32	41
Mixed: White and Black Caribbean	1	1.1	1.41	41	28
Mixed: White and Black African	0.7	1	0	-100	-100
Mixed: White and Asian	1	0.7	0	-100	-100
Mixed: Other	1.1	1	0.7	-36	-30
White:British	29.2	15.7	24.65	-16	57
White:Irish	7	5	0.7	-90	-86
White: Other	9.1	11.7	8.45	-7	-28
Other	2.3	4.4	5.63	145	28
Not declared	0	0	3.52	#DIV/0!	#DIV/0!

Note: Where the response in the table is shown as “DIV/0!” because the denominator in the calculation performed is equal to zero.

5.7 Status of Respondent

In relation to the status of the respondent, 145 were individuals, 3 were organisations and 36 did not declare a status. This may be further analysed between paper and online responses as shown in Table 3 below:

Table 3

Status of Respondent	Paper Volumes	Paper Proportions in %	Online Volumes	Online Proportions in %
Individual	76	87.36	69	71.13
Organisation	0	0	3	3.09
Not declared	11	12.64	25	25.77
Totals	87	100	97	100

5.8 Do you Pay Council Tax to Brent Council?

Of the 184 respondents, 121 (i.e. 85.82% of those that responded to the question) indicated that they paid Council Tax to Brent Council and 20 (i.e. 14.18% of those that responded to question) did not.

There were 43 respondents that did not given an answer to this question.

5.9 Are you currently receiving Council Tax Benefit in Brent?

Of the 184 respondents, 87 (i.e. 60.84% of those that responded to the question) were currently in receipt of Council Tax Benefit and 56 (i.e. 39.16%

of those that responded to the question were not. There were 41 respondents that did not give an answer to this question.

- 5.10 **If you are not receiving Council Tax Benefit, have you ever received it?**
Of the 184 respondents, 17 (i.e. 27.87% of those that responded to the question) indicated that they had previously received Council Tax Benefit and 44 (i.e. 72.13% of those that responded to question) had not.

There were 123 respondents that did not given an answer to this question.

- 5.11 The tables below set out the composition of respondents that completed the consultation questionnaire:

Table 4

Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Pensioner	23	16.67
Student	3	2.17
Employed	37	26.81
Employed Part Time	15	10.87
Unemployed	54	39.13
Disabled	6	4.35
Totals	138	100

The overall response rate to this question was 75% of the total of 184 respondents.

There were 46 respondents that did not give an answer to this question representing 25% of the total of 184 respondents.

Table 5

Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Living as a Couple	14	16.67
Married	44	52.38
Civil Partnership	1	1.19
Prefer not to say	25	30
Totals	84	100

The overall response rate to this question was 45.65% of the total of 184 respondents.

There were 100 respondents that did not give an answer to this question representing 54.35% of the total of 184 respondents.

- 5.12 An analysis of the age composition of the Borough in comparison to the Benefits caseload is shown in Tables 6 and 7 below:

Table 6 – Borough Census and Benefit Caseload

Age Range	Borough average from Census	Council Tax Benefit Cases	Index Score (where 100 = average)
15-24	18.2%	3.24%	18
25-34	24.2%	14.42%	60
35-44	19.4%	21.98%	113
45-54	13.5%	21.11%	157
55-59	5.5%	7.99%	146
60+	19.3%	31.26%	162

5.13 Table 6 shows an index score in relation to the Council tax Benefit cases as a proportion of the Borough average taken from the 2001 census. The age categories for 15 to 24 and 25 to 34 have a lower proportion of claimants than expected based upon the Borough average that may be explained by the fact that a claimant has to be aged 18 or over and liable to pay council Tax to qualify for Council Tax Benefit and recent ONS reports appear to suggest that a greater number of persons are choosing to remain at home with their parents due to the high costs of renting, buying a property and other costs.

Table 7 – Consultation Responses

Age Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Under 18	0	0
18 to 24	6	4
25 to 34	20	14
35 to 44	48	34
45 to 54	34	24
55 to 60	10	7
61+	20	14
Prefer not to say	4	3
Totals	142	100

The overall response rate to this question was 77.17% of the total of 184 respondents.

There were 42 respondents that did not give an answer to this question representing 22.83% of the total of 184 respondents.

5.14 It is not possible to draw any specific conclusions from the above age data obtained from the consultation as not all of the respondents answered this question.

5.15 It is also important to note that as Council Tax is not payable by residents aged under 18 years old, there will not be any data for this age range in respect of Council Tax Benefit. It is also likely that as persons of pensionable

age will be protected from the proposed changes to Council Tax Benefit, they were less likely to respond to the consultation proposals.

5.16 There does appear however to be a close correlation between the age analysis of consultation respondents and Council Tax Benefit data that may be partially explained by the fact that 60% of respondents were in receipt of Council Tax Benefit and consequently the age data for these persons should be consistent with Benefit data held.

5.17 Table 8 - Gender Status

Gender	Borough Average from Census	Council Tax Benefit Data
Male	48.6%	45.8%
Female	51.4%	54.2%

The profile of gender within the Borough and the existing Benefits caseload is shown in Table 8 above and appears to be broadly comparable. It is important to note that a claimant for Council Tax Benefit can be either partner in the case of a couple.

Table 9 - Consultation Responses

Gender of Respondent	Total of Responses	Responses as Proportion of Total (%)
Male	58	41.43
Female	78	55.71
Prefer not to say	4	2.86
Totals	140	100

The overall response rate to this question was 76.09% of the total of 184 respondents.

There were 44 respondents that did not give an answer to this question representing 23.91% of the total of 184 respondents.

5.18 It is not possible to draw any specific conclusions from the above results of the consultation as not all respondents answered this question and some that did, preferred not to state their gender. However, of those that did, there was a 4.3% variance for male responses and a 2.7% variance for female responses in comparison to the existing Benefits caseload data.

5.19 **Is your gender identity the same as the gender you were assigned at birth?**

It is not possible to compare the data from the consultation responses with the Borough average as this information was not previously collated from the 2001 census.

Table 10 – Gender Assignment

Gender Assignment - Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Yes	116	91.34
No	4	3.15
Prefer not to say	7	5.51
Totals	127	100

The overall response rate to this question was 69.02% of the total of 184 respondents.

There were 57 respondents that did not give an answer to this question representing 30.98% of the total of 184 respondents.

5.20 Do you have Parenting Responsibilities?

It is not possible to compare the data from the consultation responses with the Borough average as this information was not previously collated from the 2001 census.

Table 11 – Parenting Responsibilities

Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Yes	62	45.93
No	67	49.63
Prefer not to say	6	4.44
Totals	135	100

The overall response rate to this question was 73.37% of the total of 184 respondents.

There were 49 respondents that did not give an answer to this question representing 26.63% of the total of 184 respondents.

5.21 What is your Sexual Orientation?

It is not possible to compare the data from the consultation responses with the Borough average as this information was not previously collated from the 2001 census.

Table 12 – Sexual Orientation

Status of Respondent	Total of Responses	Responses as Proportion of Total (%)
Heterosexual / Straight	99	77.95
Gay Woman / Lesbian	1	0.79
Bisexual	4	3.15
Gay Man	3	2.36
Other	1	0.79
Prefer not to say	19	14.96
Totals	127	100

The overall response rate to this question was 69.02% of the total of 184 respondents.

There were 57 respondents that did not give an answer to this question representing 30.98% of the total of 184 respondents.

5.22 What is your religion?

The profile of religion within the Borough is shown in Table 13 below. It is not possible to compare this with the existing Benefits caseload as this data is not currently held.

Table 13 – Religion

Religion	Borough Average
Christian	47.7%
Buddhist	1.0%
Hindu	17.2%
Jewish	2.5%
Muslim	12.3%
Sikh	0.7%
Any other religion	1.1%
No religion	10.0%
Religion not stated	7.7%

Table 14 - Consultation Response

Religion of Respondent	Total of Responses	Responses as Proportion of Total (%)
Baha'i	1	0.75
Buddhism	0	0.00
Christianity	41	30.83
Hinduism	10	7.52
Jainism	0	0.00
Judaism	3	2.26
Islam	45	33.83

Sikhism	1	0.75
Taoism	0	0.00
Agnostic	2	1.50
Humanist	1	0.75
No Religious belief	18	13.53
Other	4	3.01
Prefer not to say	7	5.26
Totals	133	100

The overall response rate to this question was 72.28% of the total of 184 respondents.

There were 51 respondents that did not give an answer to this question representing 27.72% of the total of 184 respondents.

5.23 It is not possible to draw any specific conclusions from the consultation response as not all respondents answered this question. However, from the responses received, there appears to be an over representation in comparison with census data from respondents whose religion was Islam and an under representation of responses from respondents whose religion was Christianity. There also appears to be an under representation of Hindu respondents.

5.24 **Are you responding in your capacity as a representative of any of the following?**

Table 15 – Consultation responses

Status of Respondent	Total of “Yes” Responses	“Yes” responses as proportion of Total (%)	Total of “No” responses	“No” Responses as Proportion of Total (%)
Voluntary Organisation	1	3.85	20	76.92
Housing Association	3	11.54	19	73.08
Landlord	1	3.85	19	73.08
Other	6	23.08	15	57.69

The overall response rate to this question was 26 (i.e. 14.13%) of the total of 184 respondents.

There were 158 respondents that did not give an answer to this question representing 85.87% of the total of 184 respondents.

It is not possible to draw any specific conclusions from the consultation response as not all of the respondents answered this question.

It should also be noted that only 3 respondents claimed they were representing organisations in question 7 of the consultation questionnaire whereas for this question, there appears to be 11 organisational representatives based upon a “yes” response.

5.25 Responses to Consultation Questions concerning Scheme Design

Question 1: Please indicate how important each of the six key principles are to you with 1 being the most important and 6 the least important.

The results shown below indicate the number of respondents that ranked each of the 6 key principles. The final column “Ranking Average” shows the average ranking of importance for each of the 6 key principles concerned based upon responses received and indicates based upon the proportions of responses that principle 2 was most important to respondents (i.e. protecting vulnerable claimants). The principle that “everyone should contribute” was least important to respondents.

It should be noted that whilst there were 161 responses to principle 2, there were only 151 for principle 4 and differing numbers of responses for the other principles. This prevents a direct comparison of results for each principle although the variance between the responses to each principle is no more than 10.

Rank	1	2	3	4	5	6	Total	Ranking Average
Principle 1: Everyone should pay something	51	24	12	13	19	39	158	3.27
Principle 2: The most vulnerable claimants should be protected (from the minimum contribution)	72	32	24	12	7	14	161	2.33
Principle 3: The scheme should incentivise work	19	24	36	30	26	18	153	3.48
Principle 4: Everyone in the household should contribute	13	17	20	40	32	29	151	3.98
Principle 5: Better off claimants should pay relatively more so that the least well off receive greater protection	26	30	28	22	34	14	154	3.32
Principle 6: Benefit should not be paid to those with relatively large capital or savings	32	26	30	19	17	31	155	3.36

5.26 Based upon the analysis shown above, the following results can be determined:

Key Principle	Overall Priority
Principle 1: Everyone should pay something:	Second
Principle 2: The most vulnerable claimants should be protected (from the minimum contribution):	First
Principle 3: The scheme should incentivise work:	Fifth
Principle 4: Everyone in the household should contribute:	Sixth
Principle 5: Better off claimants should pay relatively more so that the least well off receive greater protection:	Third
Principle 6: Benefit should not be paid to those with relatively large capital or savings:	Fourth

Total that responded to question:	167
Total that skipped this question:	17
Total:	184

5.27 As all of the principles are ranked within a central band (i.e. between 2.33 and 3.98), in general terms there is no single principle that is ranked either particularly high or low. This may suggest in general terms that all principles were of similar importance to the respondents concerned.

5.27.1 Council officers attended a meeting with Mencap facilitated by two representatives and 10 members of Mencap. Each of the principles proposed for the draft scheme was presented in picture and word format and members were asked to use each of the pictures once based upon the importance of each of the principles to them.

5.27.2 At the meeting, each attendee was asked to rank how important the Council's proposed changes were to them in order of "most important" to "least important" and the results of this are set out in the table below. There are a couple of observations to note concerning this data as set out below although this does not appear on face value to affect the general trends arising:

- One of the persons was not present for this part of the session due to a pre-arranged appointment,
- One of the persons present abstained from ranking their final two choices,

- One of the choices ranked by members present received more votes than persons present meaning that it was used more than once by some.

	1st Priority	2nd Priority	3rd Priority	4th Priority	5th Priority	6th Priority	Totals
The most vulnerable should be protected from the 20% minimum charge	7	1	1				9
Everyone in the household should contribute	1			3	1	3	8
Every adult to pay at least 20%			2	1	2	3	8
Better off customers should pay relatively more Council Tax	1	1	4		4	1	11
The scheme should incentivise work		6		1	0	1	8
Savings limit reduced from £16,000 to £6,000		1	2	3	1	1	8
Totals	9	9	9	8	8	9	52

5.27.3 Two meetings were held with Advocacy Project members with the meetings facilitated by a representative of that organisation. There were 16 attendees at the meetings for which one person attended both sessions. An easy read leaflet of the proposals was produced by the Advocacy project representative from the Council documentation and the principles of the proposed Council scheme were presented in a picture and word format to enable members to rank their preferences.

5.27.4 It is important to note that some attendees did not rank their preference for each principle and some attendees used an “agree” “disagree” or “neither agree nor disagree” ranking more than once for the 6 principles concerned.

The overall results from the meetings are set out in the table below.

5.27.5 These appear to show that the principle that everyone in the claimant’s household should contribute was the one that received the most responses with 5 attendees in agreement with the principle and 4 neither agreeing nor disagreeing. The principle that every adult in receipt of Benefit should pay 20% was least popular although only 2 attendees responded on this principle. Protection for the most vulnerable was agreed by 75% of the attendees although only 3 attendees ranked their preference for this principle.

<u>Advocacy Project Responses</u>							
	Agreed	Neither agree nor disagree	Disagree	Totals	Proportion of agreed	Proportion neither	Proportion disagree
The most vulnerable should be protected from the 20% minimum charge	3	1	0	4	75	25	0
Everyone in the household should contribute	5	4	0	9	56	44	0
Every adult to pay at least 20%	0	1	1	2	0	50	50
Better off customers should pay relatively more Council Tax	4	0	0	4	100	0	0
The scheme should incentivise work	3	0	4	7	43	0	57
Savings limit reduced from £16,000 to £6,000	2	3	0	5	40	60	0
Totals	17	9	5	31	55	29	16

5.28 Question 2: To what extent do you agree or disagree that the following proposals are fair?

In analysing the results from the responses received, it is important to note that 16 of the 184 respondents did not answer this question. Additionally, some of the respondents did not rank each of the 6 key principles and 2 features. The proportions shown in the table below therefore are based upon respondents that did answer the question or part of the question concerned.

5.29 The results are shown in Tables 16 and 17 below and show the number of respondents that answered this question in relation to each of the 6 key principles and the 2 main features. They can be summarised as follows:

Principle 1 – Every claimant of working age should pay 20% Council Tax

41.07% agreed that principle 1 was fair, 13.69% neither agreed nor disagreed and 45.24% considered the principle to be unfair. Each of the 168 respondents to this question answered this part. The results for this principle indicate that slightly more respondents disagreed that the minimum contribution of 20% was fair compared with those that agreed it was fair although this should be considered in the context that a greater proportion of the respondents to the consultation were in receipt of Council tax Benefit and the responses from these differed to those of non Council Tax Benefit respondents as outlined later in this section.

Principle 2 – Protect disabled claimants from the 20% minimum contribution

75% agreed that the principle was fair, 10.12% neither agreed nor disagreed and 11.9% considered the principle to be unfair. There were five respondents that answered the question for principle 1 but did not answer this part of the question and which account for 2.98%. The results for this principle indicate a majority of respondents considered the protection for disabled persons to be fair although not all of the respondents for principle 1 answered this part of the question.

Principle 3 – Increase earnings disregards by £10 per week

60.12% agreed that the principle was fair, 22.02% neither agreed nor disagreed and 13.69% considered the principle to be unfair. There were seven respondents that answered the question for principle 1 but did not answer this part of the question and which account for 4.17%. The results for this principle indicate a majority of respondents considered the increase in earnings disregards to be fair although not all of the respondents for principle 1 answered this part of the question.

Principle 4 – Double non-dependant deductions and introduce charge for job seekers

38.09% agreed that the principle was fair, 23.21% neither agreed nor disagreed and 34.52% considered the principle to be unfair. There were seven respondents that answered the question for principle 1 but did not answer this part of the question and which account for 4.17%. The results for this principle suggest a small majority of the respondents considered this principle to be fair although not all of the respondents for principle 1 answered this part of the question.

Principle 5 – Increase taper to 30%

27.98% agreed that the principle was fair, 32.14% neither agreed nor disagreed and 31.55% considered the principle to be unfair. There were fourteen respondents that answered the question for principle 1 but did not answer this part of the question and which account for 8.33%. The results for this principle suggest a small majority of the respondents considered this principle to be unfair although not all of the respondents for principle 1 answered this part of the question.

Principle 6 – Reduce savings limit

42.26% agreed that the principle was fair, 17.86% neither agreed nor disagreed and 37.5% considered the principle to be unfair. There were four respondents that answered the question for principle 1 but did not answer this part of the question and which account for 2.38%. The results for this principle suggest a small majority of the respondents considered this principle to be fair although not all of the respondents for principle 1 answered this part of the question.

Feature 1 – Abolish second adult rebate

33.34% agreed that the principle was fair, 25.6% neither agreed nor disagreed and 32.15% considered the principle to be unfair. There were fifteen respondents that answered the question for principle 1 but did not answer this part of the question and which account for 8.92%. The results for this feature suggest a small majority of the respondents considered this feature to be fair although not all of the respondents for principle 1 answered this part of the question.

Feature 2 – Freeze premiums and allowances

37.5% agreed that the principle was fair, 25% neither agreed nor disagreed and 29.17% considered the principle to be unfair. There were fourteen respondents that answered the question for principle 1 but did not answer this

part of the question and which account for 8.33%. The results for this principle suggest a small majority of the respondents considered this principle to be fair although not all of the respondents for principle 1 answered this part of the question.

- 5.30 A sub-analysis has been undertaken of responses to this question to determine how the results obtained may have been affected by a respondent being in receipt of Council Tax Benefit. The outcomes from this analysis are set out below in Table 16 and can be summarised as follows:

In relation to principle 1 that proposes all working age claimants pay a minimum 20% contribution towards their Council Tax, 24.85% of Benefit claimants agreed that this principle was fair compared to 62.71% of non Benefit claimants, 55.7% of Benefit claimants considered this principle to be unfair compared to 27.12% of non Benefit claimants and 46.84% of Benefit claimants did not consider this principle to be either fair or unfair compared to 10.17% of non Benefit claimants.

In relation to principle 2 that proposes disabled claimants should be protected from the 20% minimum contribution, 85.72% of Benefit claimants agreed that this principle was fair compared to 65.52% of non Benefit claimants, 6.5% of Benefit claimants considered this principle to be unfair compared to 22.41% of non Benefit claimants and 7.79% of Benefit claimants did not consider this principle to be either fair or unfair compared to 12.07% of non Benefit claimants.

In relation to principle 3 that proposes the earnings disregard be increased by £10 per week, 63.16% of Benefit claimants agreed that this principle was fair compared to 62.5% of non Benefit claimants, 13.16% of Benefit claimants considered this principle to be unfair compared to 17.86% of non Benefit claimants and 23.68% of Benefit claimants did not consider this principle to be either fair or unfair compared to 19.64% of non Benefit claimants.

In relation to principle 4 that proposes to double the range of deductions for other adults living with a claimant and introduce a deduction for adults in receipt of Job Seekers Allowance (Income Based), 33.78% of Benefit claimants agreed that this principle was fair compared to 47.46% of non Benefit claimants, 37.83% of Benefit claimants considered this principle to be unfair compared to 32.2% of non Benefit claimants and 28.38% of Benefit claimants did not consider this principle to be either fair or unfair compared to 20.34% of non Benefit claimants.

In relation to principle 5 that proposes to increase the taper from 20% to 30%, 26.08% of Benefit claimants agreed that this principle was fair compared to 33.33% of non Benefit claimants, 34.78% of Benefit claimants considered this principle to be unfair compared to 33.33% of non Benefit claimants and 39.13% of Benefit claimants did not consider this principle to be either fair or unfair compared to 33.33% of non Benefit claimants.

In relation to principle 6 that proposes a reduction in the capital cut off limit to £6,000, 35.89% of Benefit claimants agreed that this principle was fair compared to 35.59% of non Benefit claimants, 42.3% of Benefit claimants considered this principle to be unfair compared to 35.59% of non Benefit claimants and 21.79% of Benefit claimants did not consider this principle to be either fair or unfair compared to 13.56% of non Benefit claimants.

In relation to Feature 1 proposes the abolition of second adult rebate for working age claimants, 19.11% of Benefit claimants agreed that this principle was fair compared to 50% of non Benefit claimants, 42.65% of Benefit claimants considered this principle to be unfair compared to 31.04% of non Benefit claimants and 38.24% of Benefit claimants did not consider this principle to be either fair or unfair compared to 18.97% of non Benefit claimants.

In relation to Feature 2 that proposes freezing personal allowances and premiums at 2012/13 rates, 36.62% of Benefit claimants agreed that this principle was fair compared to 44.65% of non Benefit claimants, 29.58% of Benefit claimants considered this principle to be unfair compared to 37.5% of non Benefit claimants and 33.8% of Benefit claimants did not consider this principle to be either fair or unfair compared to 17.86% of non Benefit claimants.

- 5.31 In summary, there appears to be a clear distinction as to whether principle 1 is fair based upon whether the respondent is in receipt of Council Tax Benefit or not, principle 2 was agreed as being fair by the majority of both sets of respondents, principle 3 was agreed as being fair by the greater majority of both sets of respondents, principle 4 was agreed as being fair by the greater majority of non Benefit respondents than in the case of Benefit respondents, principle 5 was not agreed as fair by Benefit respondents but had an equal split of non Benefit respondents considering it unfair and principle 6 was considered unfair by a greater majority of Benefit respondents than non Benefit respondents.
- 5.32 Features 1 and 2 were agreed as being fair by the greater majority of non Benefit respondents compared to Council Tax Benefit respondents although in the latter case, there were also a significant proportion of respondents that did not consider the proposals to be fair or unfair.
- 5.33 The overall results for all responses received are shown in Table 17.

Table 16

2. To what extent do you agree or disagree that the following proposals are fair?						
Receipt of Council Tax Benefit - Yes						
	Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree	Total
Principle 1: All working age claimants to pay a minimum of 20 per cent of their council tax:	3(3.80%)	19(24.05%)	13(16.46%)	24(30.38%)	20(25.32%)	79
Principle 2: Protect disabled claimants from the 20% minimum contribution:	40(51.95%)	26(33.77%)	6(7.79%)	2(2.60%)	3(3.90%)	77
Principle 3: Increase the earnings disregard by £10 per week:	17(22.37%)	31(40.79%)	18(23.68%)	8(10.53%)	2(2.63%)	76
Principle 4: Double the current range of deductions charged for other adults living with a claimant from the 2012/13 charges, and introduce a charge for other adults on job seekers allowance (income based):	8(10.81%)	17(22.97%)	21(28.38%)	18(24.32%)	10(13.51%)	74
Principle 5: Increase the taper from 20 per cent to 30 per cent:	7(10.14%)	11(15.94%)	27(39.13%)	13(18.84%)	11(15.94%)	69
Principle 6: Reduce the savings cut-off limit to £6,000 from the current £16,000:	16(20.51%)	12(15.38%)	17(21.79%)	21(26.92%)	12(15.38%)	78
Feature 1: Abolish the second adult rebate for working age claimants:	8(11.76%)	5(7.35%)	26(38.24%)	18(26.47%)	11(16.18%)	68
Feature 2: Premiums and personal allowances to be frozen at 2012/2013 rates:	7(9.86%)	19(26.76%)	24(33.80%)	9(12.68%)	12(16.90%)	71
Receipt of Council Tax Benefit - No						
	Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree	Total
Principle 1: All working age claimants to pay a minimum of 20 per cent of their council tax:	26(44.07%)	11(18.64%)	6(10.17%)	6(10.17%)	10(16.95%)	59
Principle 2: Protect disabled claimants from the 20% minimum contribution:	22(37.93%)	16(27.59%)	7(12.07%)	7(12.07%)	6(10.34%)	58
Principle 3: Increase the earnings disregard by £10 per week:	20(35.71%)	15(26.79%)	11(19.64%)	5(8.93%)	5(8.93%)	56
Principle 4: Double the current range of deductions charged for other adults living with a claimant from the 2012/13 charges, and introduce a charge for other adults on job seekers allowance (income based):	15(25.43%)	13(22.03%)	12(20.34%)	10(16.95%)	9(15.25%)	59
Principle 5: Increase the taper from 20 per cent to 30 per cent:	9(15.79%)	10(17.54%)	19(33.33%)	8(14.04%)	11(19.30%)	57
Principle 6: Reduce the savings cut-off limit to £6,000 from the current £16,000:	21(35.59%)	9(15.25%)	8(13.56%)	9(15.25%)	12(20.34%)	59
Feature 1: Abolish the second adult rebate for working age claimants:	16(27.59%)	13(22.41%)	11(18.97%)	9(15.52%)	9(15.52%)	58
Feature 2: Premiums and personal allowances to be frozen at 2012/2013 rates:	15(26.79%)	10(17.86%)	10(17.86%)	13(23.21%)	8(14.29%)	56

Table 17

	Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree	No response to question part	Total
Principle 1: All working age claimants to pay a minimum of 20 per cent of their council tax:	36(21.43%)	33(19.64%)	23(13.69%)	36(21.43%)	40(23.81%)	0 (0%)	168
Principle 2: Protect disabled claimants from the 20% minimum contribution:	75(44.64%)	51(30.36%)	17(10.12%)	10(5.95%)	10(5.95%)	5 (2.98%)	163
Principle 3: Increase the earnings disregard by £10 per week:	43(25.60%)	58(34.52%)	37(22.02%)	14(8.33%)	9(5.36%)	7 (4.17%)	161
Principle 4: Double the current range of deductions charged for other adults living with a claimant from the 2012/13 charges, and introduce a charge for other adults on job seekers allowance (income based):	29(17.26%)	35(20.83%)	39(23.21%)	33(19.64%)	25(14.88%)	7 (4.17%)	161
Principle 5: Increase the taper from 20 per cent to 30 per cent:	22(13.10%)	25(14.88%)	54(32.14%)	26(15.48%)	27(16.07%)	14 (8.33%)	154
Principle 6: Reduce the savings cut-off limit to £6,000 from the current £16,000:	44(26.19%)	27(16.07%)	30(17.86%)	36(21.43%)	27(16.07%)	4 (2.38%)	164
Feature 1: Abolish the second adult rebate for working age claimants:	28(16.67%)	28(16.67%)	43(25.60%)	30(17.86%)	24(14.29%)	15 (8.92%)	153
Feature 2: Premiums and personal allowances to be frozen at 2012/2013 rates:	31(18.45%)	32(19.05%)	42(25%)	25(14.88%)	24(14.29%)	14 (8.33%)	154

6.0 Additional Comments

A narrative field for comments was included in questions asked within the questionnaire, and a range of responses were given for the questions concerned. It should be noted that whilst officers have tried to make this representative, inevitably there is the possibility of duplication and in some instances, comments that were not appropriate to the consultation. Furthermore, some comments appear to be based on a misapprehension either of the facts or of the proposals. It should also be noted that some respondents provided multiple answers to questions with others giving no responses and in some instances it was unclear as to the nature of the point or comment being made by the respondent. Each of the comments submitted by respondents has been included within this report together with a commentary.

7.0 Public Meetings

7.1 Two public meetings were held during the consultation period at Willesden Green Mosque and Brent Town Hall. These were held in addition to the Area Consultative Forums as detailed below. Public meetings took place on the 6th July at Willesden Green Mosque and 27th July at Brent Council Town Hall.

There were 17 attendees for these 2 events.

The 6th July meeting was advertised in local libraries, on the Brent Council website and via Brent's BME forum contacts. Members of the Brent Multi-Faith forum were invited directly. Of those attending and who completed monitoring forms, 80% were Islamic and 20% preferred not to say.

In terms of ethnicity, 60% were Asian: Pakistani, 20% were Asian: British and 20% were Black: Caribbean

The 27th July meeting was targeted towards BME and Faith communities and was advertised in Brent Council Libraries, Customer Service Local Offices and on the Brent Council Website.

Invites were also emailed directly to BME forum contacts and multi-faith forum contacts. Posters, leaflets and briefings were also distributed through the multi faith forum and Council Tax Support consultation has been an agenda item discussed at their last 2 meetings held on 16th June and 17th July respectively.

Members were also requested to specifically promote the 27th July meeting with their contacts in the BME community.

There were approximately 50 community leaders that were contacted by email and by phone and there were 15 Multi Faith forum Faith leaders contacted from the major faiths within Brent.

7.2 Area Consultative Forums

7.2.1 There are five Area Consultative Forums which offer residents the opportunity to have their say about issues which matter to them. At each meeting, residents, businesses and community representatives are able to raise questions about services provided by the council and other agencies in Brent.

Chaired by a Councillor, each area forum meeting is open to the public and is held during a weekday evening in an accessible venue.

There were an estimated 267 residents that attended the forums during the consultation to hear further details of the proposals and to provide feedback to officers and members.

Similarly to the public meetings and Service User Consultative Forums there were a range of questions / issues raised as set in Appendix A4 of this report.

Frequently asked questions were included on the Council website for reference together with the appropriate responses.

7.3 Service User Consultative Forums

7.3.1 Service User Consultative Forums are held to encourage the users of specific services to have a say about the service they receive. The forum for the voluntary sector focuses on specific groups in that sector of the community.

Comments received from the meeting of this forum on 21st June are set out in Appendix A5 of this report.

7.4 Meetings with groups and individuals

Meetings were arranged and held with a number of key groups and their representatives / members within the Borough. These included Mencap, the Advocacy Project, Citizens Advice Bureau, Brent Private Tenants Rights User Group, Brent Housing Partnership, Brent Mental Health User Group, Older Persons Partnership Board, Help Somalia Foundation and Lynton Close Travellers Site.

7.5 In the case of the Help Somalia Foundation, three meetings were held. The first meeting held was an initial meeting with representatives from the organisation and the second and third meetings were held with members of the Somali community with the organisation arranging attendance and the Council reserving a hall at the Town Hall.

7.6 Consultation questionnaires were issued to attendees of meetings as appropriate.

7.7 Comments received and responses obtained from the consultation have been included within this report as Appendix A6 together with any appropriate commentary.

8.0 Correspondence

8.1 A specific mailbox was established and used, with 11 responses received from 11 separate email addresses. The themes for the emails concerned are set out below:

Comment / Theme Summary

- Not happy with the current scheme and wants a better one – 1
- Request for paper copy of scheme – 2

- Will it affect my 25% Single Person Discount? – 2
- Who are you consulting with? – 1
- How will the new scheme affect me personally? – 1
- How will the scheme affect pensioners in receipt of Pension Credit? – 1
- Do you have an equalities impact assessment and how can I contribute? – 1
- How can I access and complete the online questionnaire? – 2

9.0 Summary of findings

- 9.1 Details about the consultation on the local Council Tax Support proposals reached a significant number of residents and stakeholders via a range of consultation formats as set out earlier in this report.
- 9.2 The overall response to the consultation was lower than had been anticipated despite the efforts that were made to ensure that residents and stakeholders were aware of the proposals and had an opportunity to comment.
- 9.3 However, it can be seen from the views expressed in the consultation that there was a polarisation of views for principle 1, strong agreement for principles 2 and 3, mixed views on principles 4, 5 and 6 possibly stemming in the case of principles 4 and 5 to an absence of understanding concerning the technical details of the proposal concerned.
- 9.4 There also appears to be a clear distinction as to whether principle 1 is fair based upon whether the respondent is in receipt of Council Tax Benefit or not, principle 2 was agreed as being fair by the majority of both sets of respondents, principle 3 was agreed as being fair by the greater majority of both sets of respondents, principle 4 was agreed as being fair by the greater majority of non Benefit respondents than in the case of Benefit respondents, principle 5 was not agreed as fair by Benefit respondents but had an equal split of non Benefit respondents considering it unfair and principle 6 was considered unfair by a greater majority of Benefit respondents than non Benefit respondents.
- 9.5 Features 1 and 2 were agreed as being fair by the greater majority of non Benefit respondents compared to Benefit respondents although in the latter case, there was also a significant proportion of respondents that considered the proposals to be neither fair nor unfair.
- 9.6 From the above results, it would appear that the circumstances of a respondent particularly in terms of entitlement to Council Tax Benefit, influences their perception particularly as to whether the minimum 20% contribution towards Council Tax is fair. The protection proposed for certain claimants such as disabled persons was considered to be fair by the majority of all respondents as was the work incentive of an additional £10 per week earnings disregard. There were generally differing degrees of opinion expressed by Benefit and non Benefit respondents in relation to the other principles and features.

9.7 The consultation report is a significant part of the information underpinning the proposals, but it does not stand alone. In particular, in formulating the recommendations, officers have had regard to:

- The Policy Statements of Intent issued by the CLG,
- The resources available to the Council and potential alternative ways to operate the local Council Tax Support scheme within the funds available.
- The Equalities Impact Assessment which explicitly addresses many of the issues raised in this consultation
- The technical constraints that are currently understood to exist in relation to the proposed technology for administration of the scheme.

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BRENT COUNCIL

PROPOSED LOCAL COUNCIL TAX SUPPORT SCHEME

Published: 8th June 2012

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Glossary of Terms

Applicable Amount

Means the combination of allowances and premiums used to determine a claimant's basic living needs and against which their income is compared for the purposes of the means test performed.

CTB

Means Council Tax Benefit, (i.e. the existing national scheme)

CTS

Means Council Tax Support, (i.e. the Council's proposed local scheme)

Excess Income

Means the amount by which a claimant's weekly income exceeds their applicable amount.

Non Dependant

A non-dependant is a person who is living with the claimant but who is not dependent upon them, and not living in their home on a commercial basis, (i.e. as a joint tenant or sub tenant). Non-dependants generally include an adult son or daughter, a mother or father, friend, etc of the claimant.

1.0 Introduction

In April 2013, Council Tax Benefit, the current means of helping people on low incomes meet their Council Tax obligations, will be replaced by a new localised support scheme defined by each Council.

The Government has stated that pensioners will be protected from the effects of the local schemes by a national framework of rules and eligibility. Working age claimants not being the subject of national rules and eligibility shall however be subject to the provisions of the locally defined scheme and not a national framework.

This document sets out the Council's proposed scheme and should be read in conjunction with the consultation questionnaire seeking comments and views on the proposed arrangements.

The proposals may be subject to change for example in response to findings from the consultation process and any statutory provisions made that take precedence over the scheme proposals.

However, the final scheme shall be subject to approval by the Council no later than 31st January 2013.

The Council is required to publish details of its proposed draft scheme and some of the contents of this document are by its very nature, technical in detail. However, we will be providing examples of how the proposals may affect entitlement in comparison to the existing Council Tax Benefit scheme on our web page at www.brent.gov.uk/localcounciltaxsupport as well as responses to frequently asked questions received.

2.0 Prescribed Requirements

The government's prescribed requirements regulations will ensure that local Council Tax Support (CTS) schemes operated by Local Authorities contain any requirements prescribed by the Secretary of State. Currently, the following requirements are to be prescribed by the Secretary of State and will therefore apply to the Council's local CTS scheme and affect both working age and non-working age claims alike.

2.1 Persons from Abroad

The government intends to apply the same restrictions as exist under the Council Tax Benefit scheme to exclude foreign nationals with limited immigration status and non-economically active EEA individuals who are not exercising EU treaty rights from receiving Council Tax reductions. The prescribed requirements relating to immigration status will mean that individuals subject to immigration control under Section 115 of the

Immigration and Asylum Act 1999 and non-economically active EEA nationals who fall into various categories to be set out in regulations, will not benefit from council tax reductions. New provisions will replicate those in existing council tax benefit Regulation 7 in Statutory Instrument 2006 / 215 and 2006 / 216.

2.2 Refugees

Those persons that have recognised refugee status humanitarian protection, discretionary leave or exceptional leave to remain in the country outside of the immigration rules and who are exempt from the habitual residence test will be entitled to apply for Council Tax Support as long as their status has not been revoked.

2.3 Permitting a person to act for another person

Current arrangements for a person to act on behalf of another will continue. For example, where a person has been granted a power of attorney for a Council Tax Payer or in cases where a couple wishes to make an application.

Pension Age Claimants

3.0 Classes of persons who are entitled to a reduction under the scheme

There will be three main classes under the prescribed pension credit age scheme, for each of which there will be a number of qualifying criteria. In all cases individuals must not be of a prescribed class exempted from support defined within statute, such as a person from abroad with limited leave to remain as outlined in the “prescribed requirements” section above. The three classes concerned are outlined below:

Class 1

The individual must:

- have attained the qualifying age for state pension credit,
- not be someone with a partner of working age in receipt of Income Support, income based Jobseeker’s Allowance or income based employment and support allowance,
- be liable to pay Council Tax in respect of a dwelling in which they are resident
- be somebody in respect of whom a maximum council tax reduction amount can be calculated,
- not have capital savings above £16,000,
- be a person in respect of whom a day in which s/he is liable to pay Council Tax falls within a week in respect of which the person’s income is less than their applicable amount (as defined in regulations),
- have applied for the scheme.

Class 2

The individual must:

- have attained the qualifying age for state pension credit,
- not be someone with a partner of working age in receipt of Income Support, income based Jobseeker’s Allowance or income based employment and support allowance,
- be liable to pay Council Tax in respect of a dwelling in which they are resident
- be somebody in respect of whom a maximum council tax reduction amount can be calculated,
- not have capital savings above £16,000,
- be a person in respect of whom a day in which s/he is liable to pay Council Tax falls within a week in respect of which the person’s income is less than their applicable amount (as defined in regulations),
- have applied for the scheme,

- be a person for whom class 1 is not fulfilled, but amount A exceeds amount B, where amount A is the appropriate maximum council tax liability in their case and amount B is a prescribed percentage (20%) of the difference between their income in respect of the week in which the day falls and the appropriate applicable amount in their case (both as defined in regulations).

Class 3

The individual must:

- have attained the qualifying age for state pension credit,
- not be someone with a partner of working age in receipt of Income Support, income based Jobseeker's Allowance or income based employment and support allowance,
- be liable to pay Council Tax in respect of a dwelling in which they are resident
- be somebody in respect of whom a maximum council tax reduction amount can be calculated,
- have applied for a scheme,
- be somebody who has at least one second adult living with them who is not their partner, not somebody who pays rent, and who is on a prescribed low wage and / or prescribed benefit, as set out in regulations.

4.0 The reduction to which persons in each class are to be entitled (and different reductions may be set out for different classes)

4.1 Class 1 Reduction

If an individual matches the criteria in Class 1, including that income is less than their applicable amount (as set out in regulations) in their case, that person qualifies for 100% reduction on their Council Tax liability.

Regulations will set out that an individual in receipt of state pension credit guarantee credit from the Department for Work and Pensions (Pensions Service) will have their income and capital counted as zero. This means that the individual's income will automatically be less than their applicable amount and they will qualify for 100% reduction of their council tax liability.

Where a person has been awarded only the savings credit element of state pension credit, regulations will define the way in which this is to be treated for the purposes of the Council Tax Support scheme.

4.2 Class 2 Reduction

If an individual matches the criteria in Class 2, it will mean that their income is greater than their living allowance / applicable amount (both as defined in

regulations). Twenty per cent of the difference between the two will be subtracted from this individual's council tax liability.

4.3 Class 3 Reduction

Under the existing national Council Tax Benefit scheme, the class 3 reduction is known as second adult rebate. This may be awarded in respect of a second adult sharing the household who would normally be expected to contribute towards the council tax bill but who cannot afford to do so based on their low income as indicated by prescribed low wages bands or prescribed working-age benefit indicators.

This reduction will equate to the existing second adult rebate and may be awarded at 25%, 15% or 7.5% of the council tax liability, depending upon individual circumstances.

4.4 Non Dependent Deductions

Once a reduction amount is calculated, it will continue to be subject to a downward adjustment to take into account non-dependent adults that normally reside in the dwelling who would be expected to contribute to Council Tax. Deductions for such non-dependent adults will be calculated in the same way as under Statutory Instrument 2006 / 216 Regulation 42 with differing prescribed amounts being deducted according to individual circumstances, and with the same exceptions applying.

4.5 Determination of Class and Award

Determination of the class an individual is put into and the reduction they will receive will continue to be determined in two ways:

1. In respect of Class 1 and Class 2, through means testing which will continue according to the same rules and criteria and
2. Through application of rules for calculation of Class 3 currently known under Council Tax Benefit as the alternative maximum council tax benefit calculation under Statutory Instrument 2006 / 216 Regulation 46.

4.6 Means Test for Class 1 and Class 2

The means test will be defined within regulations and aligned with existing regulations for council tax benefit for those of state pension credit age.

The means test is based upon a comparison of income defined in regulations and a deemed living allowance also defined in regulations. The way in which these elements will be defined and evaluated for the pension credit age scheme is set out below.

4.7 Living Allowance (Applicable Amount)

The individual's living allowance or applicable amount will be made up of four elements. These will be:

1. A personal allowance in respect of the applicant,
2. An amount in respect of any child or young person who is part of their family,
3. A family premium element (where the applicant is part of a family of which at least one member is a child or young person), and
4. Any premium amount set out in regulations that is applicable to the individual.

The elements and calculation methodology for the applicable amount will be as set out in Statutory Instrument 2006 / 216 Regulation 12 and Schedule 1 or as otherwise may be provided for within statute.

4.8 Calculation of Income and Capital

Income and capital will be calculated for a person who has reached the qualifying age for state pension credit in line with current provisions under Statutory Instrument 2006 / 216 Regulations 13 to 39. The income and capital of a claimant's partner or partners in the case of a polygamous marriage will continue to be treated as income of the claimant.

Income or capital of any child or young person will not be treated as income or capital of the claimant. The regulations will allow for the Council to treat the income or capital of a non-dependent as if it were the income or capital of the applicant in a case where it appears to the Council that the two have entered into arrangements to take advantage of the system with the same exception to this rule for those on income-related jobseekers allowance and income-related employment and support allowance.

4.9 Income and capital for those on state pension credit

There will be special treatment of income and capital for those in receipt of state pension credit.

For those in receipt of the guarantee credit element of state pension credit, the whole of their income and capital will be disregarded meaning that they will automatically qualify under Class 1 for a 100% council tax reduction.

For those in receipt of the savings credit element of state pension credit, the Council will be able to use the Department for Work and Pensions' Pension Service's assessment of the income and capital of the individual, and adjust this to take into account income from this benefit and any other relevant requirements (as set out currently in Statutory Instrument 2006 / 216,

Regulation 17).

4.10 Calculation of income where a person is not in receipt of state pension credit

For those who have reached the qualifying age for state pension credit, but are not in receipt of this benefit themselves, provisions relating to income, its calculation on a weekly basis, what is to be regarded as income and what is to be disregarded as income will replicate the operation of council tax benefit under Statutory Instrument 2006 / 216 Regulations 19 to 39. In particular, earnings of employed earners and earnings of self-employed earners will be taken into account as set out in Statutory Instrument 2006 / 216.

The council tax benefit regulations also list a number of elements and amounts which should not be taken into account in the calculation of earnings.

Amounts to be disregarded in this way from a claimant's weekly earnings are set out in Statutory Instrument 2006 / 216 Schedule 2 of the council tax benefit regulations, and such provision will also be included in the new prescribed regulations for those who have attained the eligible age for state pension credit.

Amounts to be disregarded in terms of income other than earnings under council tax benefit for those who have reached eligible age for state pension-credit are set out in Statutory Instrument 2006 / 216 Schedule 3, and these disregards of income will also be recreated under the new regulations. Treatment of other income (in relation to which the applicant has a right) will be calculated according to the same rules as under Statutory Instrument 2006 / 216 Regulations 31 to 32.

4.11 Income and wider welfare changes

In relation to income, wider welfare changes mean new working age benefits will be introduced to replace some of the existing working age benefits mentioned in Statutory Instrument 2006 / 216.

Despite these changes being mainly to working-age benefits, they may have relevance for individuals living with a person of pension-credit age and consequently, it may be taken into consideration in the assessment.

New applicants will be migrated onto these benefits over time, so both benefits will co-exist for a number of years (for example, the Universal Credit migration will take place over five years). Where such benefits are mentioned in these regulations, an equivalent approach for an individual on the new benefit will be identified and agreed with the Department for Work and Pensions. Draft regulations will mark the points where such arrangements will

need to be set out. These changes will be formalised in regulations to be laid before Parliament.

5.0 Calculation of capital

5.1 Calculation of capital where a person is not in receipt of state pension credit

Provisions relating to capital – for example, the capital savings limit of £16,000 (after which individuals will not be eligible for council tax reductions) what is to be regarded as capital; what is to be disregarded as capital and other capital calculations, will operate in the same way as existing SI 2006 / 216 Regulations 33 to 39. Amounts to be disregarded as capital will be set out under provisions replicating existing Statutory Instrument 2006 / 216 Schedule 4.

5.2 Notional capital

Regulations will continue to stipulate that individuals will be treated as possessing capital of which they have deprived themselves for the purposes of securing council tax reductions.

The notional capital will continue on the same basis, for example, disregarding the value of any holding in a company where the applicant is the sole owner or partner (or where they hold an analogous position), but will include an amount of capital equal to the value (or their share of the value of) the capital of such a company. This notional capital (which the individual is treated as in possession of) will be reduced over time as set out in regulations, to reflect payment of additional council tax liabilities incurred.

5.3 Tariff income on capital

Once an amount of capital is calculated, net of any amounts to be disregarded, this will be treated as if it is income of £1 for every £500 (or part of £500) in excess of £10,000. This amount of tariff income will be added to the initial income calculation to give a total income amount.

5.4 Calculation of Reduction

Once the total income amount has been calculated, it will be compared with the living allowance / applicable amount, to determine whether the individual falls into Class 1 (income less than applicable amount) or Class 2 (income greater than applicable amount).

Persons in Class 1 will receive 100% council tax reduction against their council tax liability. (This liability will be net of any council tax discounts under the Local Government Finance Act 1992 and non-dependent deductions under the regulations for persons of pension credit eligible age).

Persons in Class 2 will receive a reduction equivalent to 20% of the difference between their income and applicable amount on their net council tax liability.

Where a person of pension credit age is jointly liable for council tax with a second adult who is not their partner and does not pay rent in respect of the dwelling, they may fall under Class 3, where conditions to be set out in regulations corresponding to Statutory Instrument 2006 / 216 Schedule 6 are met.

The table below sets out the possible reductions for this class on maximum daily council tax liability (after discounts, and with reductions varying according to individual circumstances). The alternative maximum council tax reduction is calculated in relation to the income and circumstances of the second adult – the applicant’s income and capital is not taken into account.

Second adult	Alternative maximum council tax reduction (net of discounts) due in respect of a day
a) The second adult (or all second adults) are in receipt of income support, income-related employment and support allowance, state pension credit or income-based jobseeker’s allowance.	a) 25%
b) Where the gross income or aggregate gross income of any second adult(s) – disregarding any income support - is: b)(i) less than £177.00 per week; b)(ii) not less than £177.00 but less than £231.00 per week.	b)(i) 15% b)(ii) 7.5%
c) If the dwelling is occupied by a second adult/adults on state pension-credit, income-related jobseeker’s allowance, income-related employment and support allowance or income support, living with a full-time student(s).	c) 100%

If it appears to the Council that the claimant is entitled to both a means-tested

council tax reduction and a second adult rebate (“alternative maximum council tax benefit”) , a comparison of the two reductions will be made. The claimant will then be awarded the greater reduction of the two.

6.0 Extended payments

Prescribed regulations for all schemes will set out that an individual who is:

- (i) approaching pension credit eligible age, *and* who is
- (ii) in receipt of a local council tax reduction and not in receipt of working age benefits (income support, income-related jobseeker’s allowance, income related employment and support allowance), *or*
- (iii) whose partner has claimed state pension credit, will continue to receive an extended payment of their localised council tax reduction for a prescribed period of four weeks, whilst they or their partner apply for the state pension credit eligible age scheme.

The pension-credit eligible age regulations will state that from the point at which the person already in receipt of a council tax reduction reaches the eligible age for pension credit they will, for the prescribed extended payment period of four weeks, be entitled to whatever award is greater – the local working age scheme award or the award under the scheme for those of state pension credit eligible age.

6.1 Extended payments – qualifying contributory benefits – i.e. (i) severe disablement allowance; (ii) incapacity benefit; (iii) contributory employment and support allowance

Regulations will set out that a person in receipt of one of the above benefits, who ceases to receive that benefit because they have returned to work, increased their earnings or increased their hours (and where that improvement in their situation is expected to last five weeks or more), will continue to receive a council tax reduction calculated as if they were still in receipt of these benefits for four weeks (where the resulting reduction amount is greater than the reduction amount taking into account their loss of these benefits).

If a pension credit age person moves to the area of a new Local Authority in the period from the Monday following the move to the point where entitlement to the qualifying benefit ceases (when the extended payment rule applies), the first billing authority will pay the second billing authority or the individual their reduction amount for the extended payment period.

If the person applies for a council tax reduction in the second Local Authority, the second authority will net off the reduction amount received from the first authority. Any balance of reduction award will be paid to the claimant (and the

full amount will be paid to the claimant if there is no council tax liability in the second local authority). After the extended payment period ends, the first local authority's liability in relation to extended payments will cease and the new authority's reduction will apply.

7.0 Applications

Prescribed requirements for those of pension credit age will continue to provide that the date of the original application will apply where individuals need amend a properly completed application. If the Council chooses to accept amendments over the phone, it will have to confirm these with the applicant.

The Council will also be able to accept withdrawal of applications (where it has not yet made a decision). This will have effect on the same day any notice of withdrawal is received by the Council.

Provision will also be made for the use of electronic forms, where the Council provides this option.

8.0 Entitlement

Entitlement to pension-credit eligible age council tax reduction will begin on the first day of the first week after the application is made.

In terms of back-dating, regulations will set out that people of pension-credit eligible age will be able to back-date their applications by three months, provided they were entitled to pension-credit age reduction at the start of the three month back-dated period.

Applicants will be able to notify the relevant billing authority of their intent to apply for a reduction, which can then be treated as the date of the application or, where appropriate, the basis for determining the date of entitlement, provided the applicant submits a completed application in the manner prescribed. These arrangements will include any advance applications made for council tax reduction support.

9.0 Decisions

The scheme regulations for persons who have attained the qualifying age for state pension credit will require the Council to notify the applicant in writing of its decision within 14 days from the date that all relevant information and evidence relating to the application has been received by the billing authority, and will include information on how an appeal to the council tax bill can be made by the applicant.

10.0 Changes of circumstance

It is envisaged that changes of circumstances for Council Tax Support may follow existing Council Tax Regulations (as amended if applicable). The government is currently considering how this may interact with the proposed amendment to the Local Government Finance Bill concerning the regulatory powers relating to the investigation and prosecution of fraud.

Regulations will set out the dates from which various prescribed changes of circumstance are to take effect. In particular, regulations will set out the dates from which changes of circumstance in relation to awards of state pension credit will be taken into account, replicating Statutory Instrument 2006 / 216, Regulations 48 to 51.

Regulations will prescribe that applicants will have one month to provide additional information and evidence when requested by the Council. The Council, under local discretion, may allow more time if it sees fit.

11.0 Time and manner of granting relief and recoveries / over-payments

Matters relating to the time and manner of granting relief, persons paid and dealing with over and under-payments will be regulated for in the prescribed scheme for those of pension credit age in the same way as they currently are under council tax benefit to allow for consistency of treatment.

This will include payments to next of kin where a person in receipt of a council tax reduction dies, allowing the billing authority to make payment of the reduction amount to their personal representative or next of kin.

Where the Council Tax Payer is entitled to an increase or decrease in their reductions following a reported change of circumstance, the Council can issue an amended Council Tax bill taking into account the increase or decrease in liability.

12.0 Department for Work and Pensions changes to State Pension Credit Age

The Department for Work and Pensions is intending to make changes to the way in which new applicants comprising couples of mixed age (i.e. where one member of the couple has attained state pension credit qualifying age and one has not) are treated for new applications. Currently, such couples would generally be treated under pension credit age regulations apart from a few exceptions.

It is anticipated that this new measure to be implemented by the Department for Work and Pensions at some point in the next two years will apply to *new* pension credit applications only. It is likely to mean that in future (from the point of change and for new applicants only) that it will not be possible for a

couple to claim pension credit until both members have reached the qualifying age. It is anticipated that such couples will have access to Universal Credit though if they meet all the other eligibility criteria.

The government proposes to align this change for new applicants to local Council Tax Support schemes on the same basis once it takes effect, so that Councils do not find themselves defining an individual in a mixed age couple differently from the way they are defined by the Department for Work and Pensions. It is the Government's intention that mixed age couples already applying for or receiving a pension-credit age council tax reduction at the point of change (whether or not they are also receiving pension credit), will retain pension-credit age council tax reduction whilst their entitlement continues.

Working – Age Claimants Local CTS Scheme

13.0 Introduction

The amount of support will be based upon individual circumstances and changes of circumstances will also be taken into account.

As well as the three classes of entitled persons under the prescribed pension-credit age scheme, there will be four main working age classes for each of which there will be a number of qualifying criteria.

In all cases individuals must not be of a prescribed class exempted from support, such as a person from abroad with limited leave to remain as outlined previously in this document.

In the case of classes 1 and 2 below, the amount of a claimant's maximum Council Tax Support in respect of a day for which they are liable to pay council tax, shall be 80 per cent of the amount A / B where:

- A is the amount set by the Council as the council tax for the relevant financial year in respect of the dwelling in which they are a resident and for which they are liable, subject to any discount which may be appropriate to that dwelling under the Local Government Finance 1992 Act; and,
- B is the number of days in that financial year,
- less any deductions in respect of non-dependants.

In calculating a person's maximum Council Tax Support any reduction in the amount that person is liable to pay as a consequence of any enactment made by or under the Local Government Finance Act 1992 such as Disabled Person's Reduction for example, shall also be taken into account.

Where a claimant is jointly and severally liable for council tax in respect of their home with one or more other persons but excepting any person residing with the claimant who is a student excluded from entitlement to local Council Tax Support, in determining the maximum council tax benefit in their case, the amount A shall be divided by the number of persons who are jointly and severally liable for that tax.

Where a claimant is jointly and severally liable for council tax in respect of a dwelling with only their partner, the paragraph immediately above shall not apply.

In any case where an extended payment or an extended payment (severe disablement allowance and incapacity benefit) has been allowed to a claimant, their entitlement shall be adjusted in such circumstances and by such amount as defined within the local Council Tax Support Scheme.

The above provisions shall apply similarly to classes 3 and 4 below except that the amount of a claimant's maximum Council Tax Support in respect of a day for which they are liable to pay council tax, shall be 100 per cent of the amount A / B as defined above less any relevant non-dependant deductions.

Within the proposed local Council Tax Support scheme set out below, a reference is made in classes 2 and 4 to a prescribed percentage of 30% where a claimant's weekly income exceeds their weekly applicable amount.

Council Tax Support entitlement shall be calculated based upon a daily Council Tax liability. As such, the prescribed percentage referred to within our scheme particularly for classes 2 and 4 below for that purpose shall be $4 \frac{2}{7}$ (which equates to 30% in weekly terms and is referred to within our proposed scheme). This is intended to replicate existing arrangements applied for the purposes of the national Council Tax Benefit scheme.

Classes of persons who are entitled to a reduction under the scheme

13.1 Class 1

The individual must:

- be a person who has not yet attained the qualifying age for state pension credit,
- be a person whose partner has not yet attained the qualifying age for state pension credit, except where the applicant is in receipt of income support, income-based jobseeker's allowance or income-based employment and support allowance,
- be liable to pay council tax in respect of a dwelling in which they are resident,
- be somebody in respect of whom a maximum council tax reduction amount can be calculated;
- not have capital savings above £6,000;
- have applied for the scheme;
- be a person in respect of whom a day in which they are liable to pay council tax falls within a week in respect of which the person's income is less than their applicable amount.

13.2 Class 2

The individual must:

- be a person who has not yet attained the qualifying age for state pension credit,
- be a person whose partner has not yet attained the qualifying age for state pension credit, except where the applicant is in receipt of income support, income-based jobseeker's allowance or income-based employment and support allowance,
- be liable to pay council tax in respect of a dwelling in which they are resident,
- be somebody in respect of whom a maximum council tax reduction amount can be calculated,
- not have capital savings above £6,000,
- have applied for the scheme;
- be a person for whom Classes 1 or 3 are not fulfilled, but amount A exceeds amount B, where amount A is the appropriate maximum council tax liability in their case and amount B is a prescribed percentage (30%) of the difference between their income in respect of the week in which the day falls and the appropriate applicable amount in their case.

13.3 Class 3

The individual must:

- be a person who has not yet attained the qualifying age for state pension credit,
- be a person whose partner has not yet attained the qualifying age for state pension credit, except where the applicant is in receipt of income support, income-based jobseeker's allowance or income-based employment and support allowance,
- be liable to pay council tax in respect of a dwelling in which they are resident,
- be somebody in respect of whom a maximum council tax reduction amount can be calculated;
- not have capital savings above £6,000;
- have applied for the scheme;

- be a person in respect of whom a day in which they are liable to pay council tax falls within a week in respect of which the person's income is less than their applicable amount.
- be a person who is either entitled to one of the following themselves or a dependant in their household is entitled to one of the following: Disability premium, enhanced disability premium, disabled earnings disregard, Disability Living Allowance or Personal Independence Payment, Disabled Persons Reduction for Council Tax purposes, War Disablement Pension and War Widow's Pension.

13.4 Class 4

The individual must:

- be a person who has not yet attained the qualifying age for state pension credit,
- be a person whose partner has not yet attained the qualifying age for state pension credit, except where the applicant is in receipt of income support, income-based jobseeker's allowance or income-based employment and support allowance,
- be liable to pay council tax in respect of a dwelling in which they are resident,
- be somebody in respect of whom a maximum council tax reduction amount can be calculated,
- not have capital savings above £6,000,
- have applied for the scheme;
- be a person for whom Classes 1 or 3 are not fulfilled, but amount A exceeds amount B, where amount A is the appropriate maximum council tax liability in their case and amount B is a prescribed percentage (30%) of the difference between their income in respect of the week in which the day falls and the appropriate applicable amount in their case.
- be a person who is either entitled to one of the following themselves or a dependant in their household is entitled to one of the following: Disability premium, enhanced disability premium, disabled earnings disregard, Disability Living Allowance or Personal Independence Payment, Disabled Persons Reduction for Council Tax purposes, War Disablement Pension and War Widow's Pension.

14.0 Reductions attracted by classes: working age awards

14.1 Class 1 Reduction

If an individual matches the criteria in Class 1, including that income is less than their applicable amount in their case, that person qualifies for Council Tax Support entitlement equivalent to 80% of their weekly council tax liability (i.e. after discounts and any other relevant deductions) subject to any relevant non-dependant deductions.

An individual in receipt of income support, income-related jobseeker's allowance or income-related employment and support allowance will have income and earnings counted as zero. The same shall apply to capital held that totals less than £6,000. This means that the individual's income will automatically be less than their applicable amount, and they will qualify for Council Tax Support entitlement equivalent to 80% of their weekly council tax liability (i.e. after discounts and any other relevant deductions) subject to any relevant non-dependant deductions.

With the introduction of Universal Credit, which will start to replace these income-related benefits for new applicants over a period of four years from October 2013, it is proposed that an equivalent consideration is applied subject at all times to any statutory requirements concerning its treatment.

14.2 Class 2 Reduction

If an individual matches the criteria in Class 2, that person may qualify for Council Tax Support entitlement equivalent to a maximum of 80% of their weekly council tax liability (i.e. after discounts and any other relevant deductions) subject to any relevant non-dependant deductions.

It will also mean that the individual's income is greater than their applicable amount. Thirty per cent of the difference between the two (based upon the weekly excess income amount) will then be subtracted from the above calculation.

14.3 Class 3 Reduction

If an individual matches the criteria in Class 3, including that income is less than the applicable amount in their case, that person qualifies for protection such that they shall qualify for a 100% reduction of their weekly council tax liability (i.e. after discounts and reductions) subject to any relevant non-dependant deductions. Effectively, they shall be protected from the requirement to meet a minimum 20% of their council tax liability.

14.4 Class 4 Reduction

If an individual matches the criteria in Class 4, it will mean that the individual's income is greater than their applicable amount.

Thirty per cent of the difference between the two (based upon the weekly excess income amount) will then be subtracted from 100% of this individual's weekly council tax liability (i.e. after discounts and reductions) subject to any non-dependant deductions. Effectively they shall be protected from the requirement to meet a minimum 20% of their council tax liability.

14.5 Non-dependent deductions

Once the reduction award is calculated, it will continue to be subject to a downwards adjustment to take into account non-dependent adults that normally reside in the dwelling who would be expected to contribute to council tax.

Deductions for such non-dependent adults will be calculated with differing amounts being deducted according to the individual's circumstances.

Currently a deduction is not made from the existing national CTB scheme where the relevant non dependant is disregarded for Council Tax discount purposes or in the circumstances listed below. It is intended that these provisions are replicated within the proposed local CTS scheme and that other existing provisions relating to non-dependants also continue to apply except those relating to the deduction amounts and deduction categories set out in the table below.

- The claimant or partner are registered blind or have recently regained their sight,
- The claimant or partner are receiving the care component of a disability living allowance or attendance allowance,
- The non-dependant is receiving pension credit, income support or income-based job seekers allowance or income-related employment and support allowance,
- The non-dependant is a prisoner,
- The non-dependant is severely mentally impaired,
- The non-dependant is over 18 but child benefit is still payable for them,
- The non-dependant is a student nurse or apprentice or on Youth Training,
- The non-dependant has been a hospital patient for 52 weeks or more. If the non-dependant leaves hospital but is readmitted to hospital within 28 days, the total number of days in hospital are added together,
- The non-dependant is living in a care home or nursing home,
- The non-dependant is a care worker,

- The non-dependant is a resident of a hostel or night shelter for the homeless,
- The non-dependant is a full-time student (even if they work full-time in the summer vacation).

The table below sets out the current and proposed weekly amounts of deductions to be applied to the proposed local CTS scheme.

Description of Deduction	Amount of Weekly Deduction in 2012/13	Proposed Weekly CTS Scheme Deduction
Adult in receipt of pension credit guarantee credit or savings credit	Nil	Nil
Adult in receipt of employment support allowance (income related) main or assessment phase	Nil	Nil
Adult in receipt of Job Seekers Allowance (Contribution Based) or Employment Support Allowance (Contribution Based)	£3.30	£6.60
Gross income of adult in remunerative work is less than £183	£3.30	£6.60
Gross income of adult in remunerative work is greater than or equal to £183 but less than £316	£6.55	£13.10
Gross income of adult in remunerative work is greater than or equal to £316 but less than £394	£8.25	£16.50
Gross income of adult in remunerative work is greater than or equal to £394	£9.90	£19.80
Adult in receipt of Job Seekers Allowance (income Based)	Nil	£6.60
Adult in receipt of Income Support	Nil	Nil
Adult working less than 16 hours per week or is on maternity, paternity adoption or sick leave	£3.30	£6.60
Any other adult not included in the above descriptions	£3.30	£6.60

14.6 Determination of class and award

Determination of the class the individual is put into, and the reduction they will receive, shall be determined in respect of Classes 1, 2, 3 and 4 through means-testing that will be applied using similar rules and criteria as currently

applied for the purposes of the existing Council Tax Benefit scheme set out in Statutory Instrument 2006 / 215.

14.7 Definitions

In dealing with the means test it is intended that the intent and effect of definitions currently applied for the purposes of the existing Council Tax Benefit scheme in Statutory Instrument 2006 / 215, including those in respect of Regulations 1 to 11 shall be replicated within the proposed Council Tax Support scheme as far as is reasonably practicable.

14.8 Means-test for Classes 1, 2, 3 and 4

The means-test will be based upon a comparison of income and a deemed living allowance (known as the applicable amount). The way in which these elements will be defined and evaluated is explained in greater detail below.

14.9 Living allowance – the applicable amount

The claimant's living allowance or applicable amount will be made up four elements. These will be:

(i) a personal allowance in respect of the claimant (and partner, where relevant);

(ii) an amount in respect of any child or young person who is part of their family;

(iii) a family premium element (where the claimant is part of a family of which at least one member is a child or young person); and

(iv) any premium amount, which is applicable to the individual as set out in the local Council Tax Support scheme and that was immediately prior to the 1st April 2013 defined for the purposes of the Council Tax Benefit scheme within Statutory Instrument 2006 / 215 regulations 12 Schedule 1.

15.0 Calculation of Income and capital

Income and capital will be calculated for a person who has not attained the qualifying age for state pension credit in line with existing provisions for Council Tax Benefit under Statutory Instrument 2006 / 215 Regulations 15 to 56. The income and capital of a claimant's partner or partners in the case of a polygamous marriage will continue to be treated as income of the applicant.

Income or capital of any child or young person will not be treated as income or capital of the claimant.

The Council shall be permitted to treat the income or capital of a non-dependent as if it were the income or capital of the applicant in a case where

it appears to the Council that the two have entered into arrangements to take advantage of the system.

The same exception to this rule will apply for those on income-related jobseekers allowance and income-related employment and support allowance.

There will be special treatment of income and capital for those in receipt of income support, income-related jobseekers' allowance and income-related employment and support allowance.

For those in receipt of these benefits, the whole of their income will be disregarded. Provided that capital held is less than £6,000, this shall also be disregarded. This will mean that they automatically qualify, under Class 1, for an 80% council tax reduction subject to any non-dependant deductions.

An equivalent consideration will be identified for individuals who are in future in receipt of Universal Credit.

Existing national Council Tax Benefit arrangements whereby £10 of weekly war widow's pension, war widower's pension and war disablement pension and certain other guaranteed income payments including for example under the Armed Forces and Reserve Forces Compensation Scheme is disregarded, shall be replicated.

Additionally, the Council proposes to replicate existing local arrangements whereby the remainder of any weekly war widow's pension, war widower's or war disablement pension are also disregarded in full in the assessment of a claimant's income within the local Council Tax Support scheme.

15.1 Calculation of income where not in receipt of a prescribed working-age benefit

Other provisions relating to income, its calculation on a weekly basis, what is to be regarded as income and what is to be disregarded as income will operate in the same way as under existing Council Tax Benefit Statutory Instrument 2006 / 215 Regulations 15 to 56. In particular, earnings of employed earners and earnings of self-employed earners (both net of tax and contributions) will be taken into account as currently set out in Statutory Instrument 2006 / 215.

Existing council tax benefit regulations list a number of elements and amounts which should not be taken into account in the calculation of earnings. Amounts to be disregarded in this way from an applicant's weekly earnings are currently set out in Statutory Instrument 2006 / 215 Schedule 3 and will be replicated within the Council's local CTS scheme subject to the proposed change to increase the earned income disregard for a single person to £15, a

couple to £20 and a single parent to £35.

Amounts to be disregarded in terms of income other than earnings for the purposes of the existing Council Tax Benefit regulations are currently set out in Statutory Instrument 2006 / 215 Schedule 4 and these shall be replicated within the Council's local CTS scheme subject to the proposal to treat personal independence payments in the same manner as disability living allowance (i.e. fully disregarded) and to fully disregard income received for war disablement pension, war widower's pension and war widow's pension.

Treatment of other income (in relation to which the applicant has deprived themselves of) will be calculated according to the same rules as currently applied for Council Tax Benefit purposes under Statutory Instrument 2006 / 215 Regulation 32.

15.2 Students

It is proposed that as far as reasonably practicable, existing Council Tax Benefit scheme requirements as set out in Statutory Instrument 2006 / 215 Regulations 44 to 56 shall be replicated within the local Council Tax Support scheme. This will generally mean that full time students and students who are persons from abroad will be excluded from entitlement to Council Tax Support unless they meet one of the conditions contained within these existing Regulations.

15.3 Welfare Changes

In relation to income, wider welfare changes mean new working age benefits will be introduced to replace some of the existing working age benefits mentioned in Statutory Instrument 2006 / 215.

New applicants will be migrated onto Universal Credit and other new benefits over time, so both old and new benefits will co-exist for a number of years (for example, the Universal Credit migration will take place over four years).

It is proposed that an equivalent approach for an individual on the new benefit will be incorporated within the Council's local Council Tax Support scheme.

15.4 Calculation of capital where this is not disregarded

Provisions relating to capital – other than the revised £6,000 capital savings limit proposed, including for example, what is to be regarded as capital and what is to be disregarded as capital; will generally operate in a similar way as for existing Council Tax Benefit purposes under Statutory Instrument 2006 / 215 Regulations 33 to 42.

Amounts to be disregarded as capital in the Council's local Council Tax Support scheme will generally replicate the existing Statutory Instrument 2006 / 215 Regulation 35 and Schedule 5.

There will also be provision for certain elements of income to be treated as capital (for example, in relation to certain lump sum payments or tax arrears).

15.5 Notional income

Individuals may be treated as possessing capital of which they have deprived themselves for the purposes of securing council tax reductions. This notional capital (of which the individual is treated as in possession) will be reduced over time to reflect payment of additional council tax liabilities incurred.

15.6 Tariff income

Tariff income for capital held will not apply to working age claims.

16.0 Calculation of Reductions

16.1 Once the total income amount has been calculated, it will be compared with the applicable amount to determine whether the individual falls into Class 1 (income less than applicable amount) or Class 2 (income greater than applicable amount), Class 3 (income less than applicable amount with protection from a minimum Council Tax contribution) or Class 4 (income greater than applicable amount with protection from a minimum Council Tax contribution).

16.1 Calculation of Class 1

Persons in Class 1 will receive 80% Council Tax Support for their Council Tax liability (net of any council tax discounts and reductions made by or under the Local Government Finance Act 1992) less any non-dependent deductions made as set out within the Council's local Council Tax Support scheme.

16.2 Calculation of Class 2

Persons in Class 2 will receive 80% Council Tax Support entitlement for their Council Tax liability (net of any council tax discounts and reductions made by or under the Local Government Finance Act 1992) less any non-dependent deductions made as set out within the Council's local Council Tax Support scheme less a deduction of 30% of the difference between their weekly income (net of any disregarded income) and applicable amount.

16.3 Calculation of Class 3

Persons in Class 3 will receive a 100% council tax reduction (net of any

council tax discounts and reductions made by or under the Local Government Finance Act 1992) less any non-dependent deductions made as set out within the Council's local Council Tax Support scheme.

16.4 Calculation of Class 4

Persons in Class 4 will receive a 100% council tax reduction (net of any council tax discounts and reductions made by or under the Local Government Finance Act 1992) less any non-dependent deductions made as set out within the Council's local Council Tax Support scheme less a deduction of 30% of the difference between their weekly income (net of any disregarded income) and applicable amount.

17.0 Extended payments

It is proposed that existing provisions concerning extended payments for working age claimants shall continue as currently set out within the existing Council Tax Benefit scheme as follows:

17.1 Income Related Benefits

An applicant (or their partner) in receipt of Employment Support Allowance (Income Related), Job Seekers Allowance (Income Based), Job Seekers Allowance (Contribution Based) or Income Support continuously for at least 26 weeks, who ceases to receive any of these benefits (other than Job Seekers Allowance (Contribution Based) because they have returned to work, increased their earnings or increased their hours (and where that improvement in their situation is expected to last five weeks or more), will continue to receive a council tax reduction calculated as if they were still in receipt of these benefits for four weeks where the resulting reduction amount is greater than the reduction amount would be if it were re-calculated to take into account their loss of these benefits.

If a person moves from the Brent Council area to the area of a new Council during the week where entitlement to the qualifying benefit ceases, Brent Council will pay the individual the reduction amount due to them for the extended payment period.

It is anticipated that Universal Credit will provide for transition into work for claimants from October 2013 onwards. Consequently, the above provision for income related benefits will not apply to Universal Credit claimants that would have met the above conditions had Universal Credit not become effective.

17.2 Qualifying Contributory Benefits

An applicant (or their partner) in receipt of Employment Support Allowance (Contribution Based), Incapacity Benefit or Severe Disablement Allowance or

any combination of these continuously for at least 26 weeks, who ceases to receive that benefit because they have returned to work, increased their earnings or increased their hours (and where that improvement in their situation is expected to last five weeks or more), will continue to receive a council tax reduction calculated as if they were still in receipt of these benefits for four weeks where the resulting reduction amount is greater than the reduction amount would be if it were re-calculated to take into account their loss of these benefits.

If a person moves from the Brent Council area to the area of a new Council during the week where entitlement to the qualifying benefit ceases, Brent Council will pay the individual the reduction amount due to them for the extended payment period.

After the extended payment period, Brent Council shall have no liability in respect of the claimant and the new Council's Council Tax Support scheme shall apply as appropriate.

18.0 Entitlement

Entitlement to a working-age council tax reduction will begin on the first day of the first week after the application is made.

In terms of back-dating, people of working age will be able to back-date their applications by up to six months, provided they are able to prove that from a day (up to six months) in the past, they had continuous good cause for failing to make an application.

Any entitlement to Council Tax Support shall normally be awarded from the Monday following the date of receipt of a claim.

Where a claimant becomes liable for Council Tax at their home in the same week that they apply for Council Tax Support, any entitlement shall be awarded from the date that their liability for Council Tax commences. For the purposes of Council Tax Support, a week in this context shall comprise a Monday to Sunday.

If a claimant notifies the Council of an intention to claim Council Tax Support and submits their application form using one of the specified approaches for claiming within one month of when it was sent out or such longer period as may be reasonable in the circumstances, the date of the claim shall be the date of notice of their intention and any entitlement to Council Tax Support shall be awarded from the Monday following that date.

If a claimant applies for Council Tax Support within one month of the death or separation from their partner and the partner was in receipt of Council Tax Support at the time of their death or separation, the date of claim shall be the

date of the death or separation in question and any entitlement to Council Tax Support shall be awarded from the Monday following the date of their claim.

Council Tax Support may be backdated for up to six months prior to a written request being received if good cause can be shown as to why the claim was not made earlier. In such circumstances, the Council Tax Support rules prevailing at the date the claim is backdated to shall apply.

A claimant may apply for Council Tax Support up to 13 weeks prior to an event that would entitle them to Council Tax Support.

A claimant may apply for Council Tax Support up to 8 weeks prior to becoming liable for Council Tax at their home.

Where a Council Tax is set after 31st March and a claim for Council Tax Support is made within four weeks following the date the Council Tax was set, the date of claim shall be treated such that entitlement begins either on the 1st April in the year concerned or from the week in which their entitlement begins if this is between the 1st April and the date their claim was received.

There shall be no fixed limit to an award for Council Tax Support although entitlement may change or cease if there is a change of circumstances or be terminated if the claimant fails to respond to a request for information or evidence within one month or such longer period as may be considered reasonable in the circumstances.

19.0 Decisions

The Council will seek to notify the applicant in writing of its decision within 14 days from the date that all relevant information and evidence relating to the application has been received. This will include information on how an appeal to the council tax bill can be made by the applicant.

20.0 Changes of circumstance

Matters relating to the duty for a claimant to notify the Council of a change of circumstances shall generally replicate those currently applied to the existing Council Tax Benefit scheme and set out in Statutory Instrument 2006 / 215 Regulation 67.

A claimant shall have one month to provide additional information and evidence when requested by the Council that may under local discretion, allow more time if it sees fit.

21.0 Suspension and Termination of Council Tax Support

The Council may suspend Council Tax support if any of the following situations apply:

- There is a doubt concerning whether the entitlement conditions for Council Tax Support are met,
- There may be a recoverable overpayment of Council Tax Support,
- The claimant or another person acting on their behalf has failed to provide information or evidence required for changing a decision concerning Council Tax Support,
- An appeal has been made or leave to appeal has been sought against a decision of the Valuation Tribunal for England or another organisation designated by English law to consider such appeals concerning Council Tax Support. This includes but is not limited to appeals to higher courts such as the High Court, Court of Appeal and House of Lords. This provision will also apply to a case where similar cases are subject to appeal that may affect the case concerned.

Council Tax Support may be reinstated when the Council is satisfied that there are no outstanding matters to be resolved, the Council decides not to make an appeal or further appeal, or the appeal or request for leave has been decided, or the claimant has provided the information or evidence required as the case may be.

Where Council Tax Support has been suspended for failure to provide information or evidence and the claimant does not respond within one month or such longer period as may be considered reasonable in the circumstances, entitlement may be terminated.

These provisions are intended to replicate as far as reasonably practicable those currently applied for the purposes of the existing national Council Tax Benefit scheme.

22.0 Time and manner of granting relief and recoveries / over-payments

Matters relating to the time and manner of granting relief, persons paid and dealing with over- and under-payments shall operate in the local Council Tax Support scheme in a similar way to how they currently operate under the existing Council Tax Benefit scheme.

This includes payments to next of kin where a person in receipt of a council tax reduction dies, allowing the billing authority to make payment of the reduction amount to their personal representative or next of kin.

Where the council tax payer is entitled to an increase or decrease in their reductions following a reported change of circumstance, the Council can issue a revised Council Tax bill taking into account the increase or decrease in liability.

23.0 Wider welfare changes to benefits – Universal Credit and Personal Independence Payments

The Government intends to reflect any relevant changes to the welfare and benefits system in regulations. In particular, it is intended that Universal Credit will be introduced for some new and existing claimants from October 2013.

A number of benefits and tax credits (income support, income-based jobseeker's allowance, income-related employment and support allowance, housing benefit, working tax credit and child tax credit) are expected to be incorporated within Universal Credit.

It is therefore proposed that treatment of Universal Credit under the Council's proposed local Council Tax Support scheme should wherever possible be made equivalent to the treatment of the corresponding income-related benefits (listed above) in existence prior to the introduction of Universal Credit, subject at all times to any statutory requirements concerning its treatment. A similar principle to this is intended to be applied to Personal Independence Payments that will replace Disability Living Allowance from 2013 onwards.

24.0 Annual Updates

The Local Government Finance Bill is anticipated to stipulate that a local authority must, each financial year, '*consider whether to revise its scheme or replace it with another scheme*'. Any updates to the scheme as it relates to working age claimants may therefore be considered at that time including for example uprating of allowances and premiums used to determine basic living needs for the purposes of the means test.

25.0 Other Prescribed Requirements Reflected in the Working Age Scheme

It is intended that aspects of administration that may impact on the Council Tax Support award (particularly for the working-age claimant scheme) will continue. For example, existing backdating arrangements for those of working age (who are currently able to backdate their claim by up to six months under the Council Tax Benefit Scheme) where they are able to demonstrate continuous good cause throughout the period concerned, will continue.

26.0 Department for Work and Pensions changes to State Pension Credit Age

The Department for Work and Pensions is intending to make changes to the way in which new applicants comprising couples of mixed age (i.e. where one member of the couple has attained state pension credit qualifying age and one has not) are treated for new applications. Currently, such couples would generally be treated under pension credit age regulations apart from a few exceptions.

It is anticipated that in future (from the point of change and for new pension credit applicants only) that it will not be possible for a couple to claim pension credit until both members have reached the qualifying age. It is anticipated that such couples will have access to Universal Credit though if they meet all the other eligibility criteria.

The government proposes to align this change for new applicants to local Council Tax Support schemes on the same basis once it takes effect, so that Councils do not find themselves defining an individual in a mixed age couple differently from the way they are defined by the Department for Work and Pensions.

It is the Government's intention that mixed age couples already applying for or receiving a pension-credit age council tax reduction at the point of change (whether or not they are also receiving pension credit), will retain pension-credit age council tax reduction whilst their entitlement continues.

27.0 A scheme must state the procedure by which a person may apply for a reduction under a scheme

A person may apply for Council Tax Support in writing using the Council's application form for that purpose and sending it to the address designated by the Council for that purpose.

A person may apply for Council Tax Support online via the Council's website where such an option is published for that purpose.

A person may apply for Council Tax Support by telephone where the Council publishes a telephone number for that purpose.

A person may apply for Council Tax Support by visiting a local Customer Services Office and making an application in person.

An application form submitted in writing shall be signed by the claimant and may also be signed by their partner if applicable and shall be supported by such information or evidence as is reasonably required to enable entitlement to be determined.

An application made online or by telephone shall be subject to such validation as is reasonably necessary to enable a determination of entitlement to be made.

The Council shall not determine entitlement for an incomplete claim including one that is not signed until the relevant information, signature or both as appropriate is received and provided that at all times, this is within a period of one month from the date of the Council request or such longer period as may be reasonable in the circumstances.

A person who is in receipt of Council Tax Benefit immediately before 1st April 2013 is to be treated as having made an application for a reduction under the local CTS scheme.

Where an individual has, prior to 1st April 2013, made an application for Council Tax Benefit which has not been determined by 1st April 2013, that individual is to be treated as having made an application for a reduction under the local CTS scheme.

A claim for Council Tax Support may be amended or withdrawn in writing by the claimant at any time prior to the Council making a decision regarding entitlement.

The Council shall accept the withdrawal of an application where it has not yet made a decision concerning entitlement. This shall have effect on the same day that the notification was received by the Council.

28.0 A scheme must state the procedure by which a person can make an appeal under section 16 against any decision of the authority which affects (a) the person's entitlement to a reduction under the scheme or (b), the amount of any reduction to which the person is entitled.

A claimant or a person acting on their behalf may appeal against the Council's decision concerning entitlement to a reduction under the local CTS scheme or the amount of a reduction by writing to the Council at its designated office specifying the nature of the appeal and the grounds on which the appeal is made.

The Council will consider the appeal and notify the applicant in writing of the outcome of their appeal and the reasons for the decision.

Where the Council has considered the appeal and notified the applicant of the outcome in writing but they remain dissatisfied, or a response has not been given within a period of two months from the date of the written appeal, the applicant may further appeal in writing to the Valuation Tribunal for England or such other organisation as may be provided for within statute.

Where a response is not provided by the Council within two months of the appeal being made, any subsequent appeal to the Valuation Tribunal for England shall be made within four months of the date that the original appeal was sent to the Council.

The following specific matters shall not be the subject of an appeal under these provisions:

- The local CTS scheme provisions as set by the Council
- Any discretion applied to recover an overpayment of Council Tax Support
- Who to recover an overpayment of Council Tax Support from
- Suspending or restoring Council Tax Support
- Any decision to refuse the grant of a reduction under Section 13A(1)(b) of the Local Government Finance Act 1992

A claimant may also at any time in writing request the Council to review their entitlement to CTS Support or the amount of any reduction to CTS Support outside of the provisions for appeals detailed above.

29.0 A scheme must state the procedure by which a person can apply to the authority for a reduction under section 13A (1) (b).

A Council Tax Payer may apply for a reduction under Section 13A(1)(b) of the Local Government Finance Act 1992. Such an application shall be made in writing to the Council at its designated office giving such details as are reasonable and necessary to enable the Council to properly consider the application. Such details should include but not be limited to the reason for the application, the circumstances and context in which the application is made and the period for which the application is made.

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FINANCE & CORPORATE SERVICES
DIRECTOR - CLIVE HEAPHY

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Your Ref:
Our Ref:
Date:

8th June 2012

Address

Dear

Council Tax Support

You may be aware that the government proposes to abolish the existing national Council Tax Benefit scheme from 31st March 2013. In its place, each Local Authority has to establish a local Council Tax Support Scheme that has to be agreed by the Council by 31st January 2013.

As well as establishing a scheme that is suitable for Brent, we are working within a budget that will be reduced by at least ten per cent. Early estimates suggest this represents a reduction of at least £5.2 million in funding available to Brent Council to fund such a scheme in 2013/14. It is likely that this gap will increase further if the number of people claiming benefit goes up more than we expect or if the Council chooses to increase Council Tax in future years.

This change in funding arrangements means we have to make some difficult decisions about who gets financial support and how much.

If the council wanted to keep the existing Council Tax Benefit scheme in its entirety, it would need to fund the extra cost itself, which would mean significant cost reductions in other services.

Given the level of other savings required across the Council, Brent is proposing to design its own CTS scheme in a way that is as fair and equitable as possible and in line with the needs of the community while retaining many of the features of the existing Council Tax Benefit scheme.



INVESTORS IN PEOPLE



The new scheme will start from 1 April 2013 and the council is consulting with residents and stakeholders from **11 June to 10 August 2012** to find out their views.

Apart from pensioners who are to be protected by a set of national rules and eligibility criteria, everyone currently entitled to council tax benefit will potentially be affected.

Our draft scheme is based on a set of key principles which represent a number of variations to the current CTB scheme for working age claimants and details of these are contained within our consultation documentation. You can access the Council's draft scheme and consultation documentation at the following web address:

www.brent.gov.uk/consultation

Additionally, we will be including information on the following webpage as clarification questions are received.

www.brent.gov.uk/localcounciltaxsupport

We would welcome your comments and views on the draft scheme proposals and are more than willing to meet and discuss these further with you if that would assist. Please contact me if you would like to meet and discuss the proposals in more detail.

Yours sincerely



David Oates
Head of Benefits

**Local Council Tax Support
Consultation
Have your say**

council tax support

Introduction

The Government is abolishing the current national Council Tax Benefit (CTB) scheme and all councils have to replace it with their own local scheme called Council Tax Support (CTS). To ensure we have a scheme that suits our borough Brent Council is consulting with residents on proposals for our new scheme.

As well as having to create a scheme that is suitable for Brent, the council will also have to work within a budget that has been reduced by at least ten per cent. Early estimates suggest this represents a reduction of at least £5.2 million in 2013/14, taking account of the increasing number of people currently claiming benefit. This gap will increase further if the number of people claiming benefit goes up more than we expect or if the council increase council tax in future years.

This shortage in funding means we have to make some difficult decisions about who gets financial support and how much.

If the council wanted to keep the current CTB scheme it would need to fund the extra cost itself, which would mean cost reductions in other services. Instead, Brent is proposing a new scheme that is as fair as possible and in line with the needs of the community. The council is consulting with residents from **11 June to 10 August 2012** to find out their views.

The new scheme will start from 1 April 2013.

Who will be affected?

Apart from pensioners, everyone currently entitled to council tax benefit will potentially be affected so it's important to have your say. As the scheme concerns Brent's local approach to support for council tax, we are keen to receive views from all residents regardless of whether they currently claim benefit. The information you provide will be treated confidentially and used solely by Brent Council.

Brent's proposals

Our draft scheme is based on a set of key principles which represent a number of variations to the current CTB scheme for working age claimants.

The principles of the proposed draft scheme are listed on page 3. We suggest you read Appendices A, B and C at the end of this booklet to ensure you understand the proposals and to help you fill in your questionnaire.

You can also refer to the draft CTS scheme which can be viewed at www.brent.gov.uk/consultation and the current CTB scheme by visiting the DWP website: www.dwp.gov.uk/publications/specialist-guides/technical-guidance/rr2-a-guide-to-housing-benefit/

The principles of the proposed draft scheme are:

Principle 1: Everyone should pay something

Claimants (unless defined as protected) will be required to pay a minimum contribution to their council tax – set in the draft scheme at 20 per cent.

Principle 2: The most vulnerable customers should be protected (from the minimum contribution of 20 per cent)

Claimants will be protected from the 20 per cent minimum contribution if they, their partner or dependants are entitled to a disability premium or enhanced disability premium (normally given where disability living allowance has been awarded) or disabled earnings disregard, or the claimant is in receipt of disabled persons reduction for council tax purposes, war disablement pension or war widow's pension.

Principle 3: The scheme should incentivise work

Incentives to work will be achieved by letting claimants who are working keep more of what they earn (before the benefits means-test is applied). The draft scheme proposes an increase of £10 per week in the amounts that claimants are allowed to keep for single person, couple and single parent earnings (currently set at £5, £10 and £25 respectively).

Principle 4: Everyone in the household should contribute

Currently, when assessing a claimant's entitlement to benefit, other adults in the claimant's home (i.e. non-dependants) are treated as contributing towards the council tax bill resulting in a lower amount of benefit being given. The draft scheme proposes doubling existing levels of these contributions. Additionally for other adults in receipt of job seekers allowance (income based), a charge of £6.60 is proposed instead of no charge as at present.

Principle 5: Better off claimants should pay relatively more so that the least well off receive greater protection

The draft scheme proposes to continue to reduce entitlement to help with Council Tax as income / earnings increase. However, it is proposed that the calculation of this is adjusted so that the rate at which Council Tax Support reduces where weekly income exceeds basic living needs is 30p in every pound rather than the 20p currently applied. This is referred to as the taper, it is currently 20 percent and will become 30 per cent per week under the proposed CTS scheme.

Principle 6: Benefit should not be paid to those with relatively large capital or savings

Our draft scheme proposes £6,000 as the savings limit for CTS - currently this is £16,000 for CTB.

Other general features of our scheme:

1. The current second adult rebate scheme for working age claimants will be abolished. Currently, claimants whose own income is too high to receive CTB, but have other adult(s) in the household whose income is low, can receive a council tax discount of up to 25 per cent.
2. Premiums and personal allowances will be held at the rates applied for 2012/13 to determine basic living needs for a claimant and their family.

Section B – about you (optional) (If you are responding on behalf of an organisation please go to Section C)

Please tell us your details

Name:

Address:

Email:

Telephone Number/s

- 1** Do you pay council tax to Brent Council? Yes No
- 2** Are you currently receiving council tax benefit in Brent? Yes No
- 3** If you are not receiving council tax benefit, have you ever received it? Yes No
- 4** Are you currently receiving housing benefit in Brent? Yes No
- 5** Are you: (please tick one box)
 A pensioner Employed part time
 A student Unemployed
 Employed Disabled
- 6** If you are in a relationship, please tick one of the following:
 Living as a couple Civil partnership
 Married Prefer not to say
- 7** What is your age group?
 Under 18 35-44 55-60
 18-24 45-54 61+
 25-34 Prefer not to say
- 8** Please indicate your sex/gender.
 Male Female Prefer not to say
- 9** Is your gender identity the same as the gender you were assigned at birth?
 Yes No Prefer not to say
- 10** Do you have parenting responsibilities?
 Yes No Prefer not to say
- 11** What is your sexual orientation? (Please tick one box)
 Heterosexual/straight Bisexual
 Gay woman/lesbian Gay man
 Other Prefer not to say

- 12** Which one of these groups do you belong to? (please tick one box)
- | | | | |
|---|---|---|---|
| Asian or Asian British: | Black or Black British: | Mixed: | White: |
| Asian: Bangladeshi <input type="checkbox"/> | Black: African <input type="checkbox"/> | Mixed: White and Black African <input type="checkbox"/> | White: British <input type="checkbox"/> |
| Asian: British <input type="checkbox"/> | Black: Caribbean <input type="checkbox"/> | Mixed: Other <input type="checkbox"/> | White: Irish <input type="checkbox"/> |
| Asian: Indian <input type="checkbox"/> | Black: Other <input type="checkbox"/> | Mixed: White and Black Caribbean <input type="checkbox"/> | White: Other <input type="checkbox"/> |
| Asian: Chinese <input type="checkbox"/> | Black: Somali <input type="checkbox"/> | Mixed: White and Asian <input type="checkbox"/> | Other (Please specify) <input type="checkbox"/> |
| Asian: Other <input type="checkbox"/> | | | |
| Asian: Pakistani <input type="checkbox"/> | | | Prefer not to say <input type="checkbox"/> |
- 13** What is your religion? (please tick one box)
- | | | | |
|---------------------------------------|----------------------------------|-----------------------------------|---|
| Baha'i <input type="checkbox"/> | Jainism <input type="checkbox"/> | Sikhism <input type="checkbox"/> | No Religion belief <input type="checkbox"/> |
| Buddhism <input type="checkbox"/> | Judaism <input type="checkbox"/> | Taoism <input type="checkbox"/> | Prefer not to say <input type="checkbox"/> |
| Christianity <input type="checkbox"/> | Other <input type="checkbox"/> | Agnostic <input type="checkbox"/> | |
| Hinduism <input type="checkbox"/> | Islam <input type="checkbox"/> | Humanist <input type="checkbox"/> | |

Appendix A – General Information

Government proposals

In April 2013 council tax benefit, the current means of helping people on low incomes meet their council tax obligation, will be replaced by a new localised support scheme.

The government has said that it wishes to protect pensioners in the scheme. For all other recipients, there is a requirement to agree local eligibility criteria.

This means that for working age people, local councils are required to design their own scheme to provide help with council tax.

The government's proposals have three stated objectives:

- creating the right incentives to get more people into work by ensuring that work always pays,
- protecting the most vulnerable people, and
- delivering fairness to those claiming benefit and to the taxpayer.

Under the existing council tax benefit scheme, the council generally receives 100 per cent from the government for the amount of council tax benefit it pays out to local claimants. However, under the new system it will be given a specific sum by the government to make support payments. This sum will be at least ten per cent less than the amount that is currently paid out as council tax benefit.

This also means that any increases in CTS expenditure during the year, such as an increase in the number of claimants claiming support, will need to be funded by the council in addition to the immediate ten per cent reduction. This is currently anticipated to amount to £5.2 million for 2013/14.

Each local authority must carry out a consultation exercise concerning their draft scheme proposals and must define and publish its local CTS scheme by 31 January 2013. If the scheme is not defined and published by this date, a default scheme will be imposed by the government and the funding reduction will need to be met from other means including for example; increasing council tax levels or reducing other service expenditure.

Brent Council local CTS scheme proposals

The government has stated that pensioner claimants shall be protected from the effects of any changes by a national framework that addresses eligibility and amounts.

In relation to claimants of working age, consideration has been given by Brent Council to continue the existing national council tax benefit framework within a new local scheme (i.e. making no changes) and the funding implications that would apply to this, which would require the council to find savings elsewhere in order to fund the CTS scheme.

Consideration has also been given to reducing any potential funding shortfall that would arise from the changes by reviewing the council tax discounts and exemptions that are currently applied to vacant properties within the borough including long term empty homes and second homes. However, this alone would not fully achieve the levels of financial savings needed to meet the funding reduction.

Brent Council is undertaking this consultation between the period 11 June and 10 August 2012. This timescale has been determined following receipt of policy statements of intent published by the Department for Communities and Local Government (DCLG) on 17 May 2012 and to permit sufficient time to evaluate responses received and to meet the council's budget setting timetable.

Brent Council wants to ensure that everyone who is a resident in the borough (including organisations and voluntary groups) has an opportunity to have their say about the council's proposed future replacement for council tax benefit.

Copies of the consultation documentation in large print and other formats may be provided on request. To request this service, please call on **020 8937 1800** or email: **counciltaxsupport@brent.gov.uk**

Please come to the next Area Consultative Forums shown below where officers will be on hand to answer your questions and give advice about the consultation.

Tuesday 7pm
3 July 2012

Kilburn and Kensal
Kensal Rise Primary
School Hall
Harvist Road,
Kilburn,
NW6 6HJ

Wednesday 7pm
4 July 2012

Wembley
Patidar House,
22 London Road,
Wembley,
HA9 7EX

Tuesday 7pm
10 July 2012

Harlesden
All Souls Church
(next to Lloyds TSB),
Station Road Harlesden
NW10 4UJ

Wednesday 7pm
11 July 2012

Willesden
College of North
West London
Denzil Road
NW10 2XD

Tuesday 7pm
17 July 2012

Kingsbury and Kenton
Kingsbury High School
Princes Avenue
NW9 9JR

Appendix B – Key Principles

Principle 1: Everyone should pay something

At present, claimants in receipt of income support, job seekers allowance (income based) and employment support allowance (income related) and other claimants not receiving these but with an income below the required level for their basic living needs, generally receive 100 per cent council tax benefit and therefore pay no council tax.

The council proposes that all working age claimants (unless protected) should pay at least 20 per cent of their council tax under the CTS scheme.

Principle 2: The most vulnerable claimants should be protected (from the minimum contribution)

Claimants will be protected from the 20 per cent minimum contribution if they or their partner or dependants are entitled to a disability premium or enhanced disability premium (normally given where disability living allowance has been awarded) or disabled earnings disregard, or the claimant is in receipt of disabled persons reduction for council tax purposes, war disablement pension or war widow's pension.

Principle 3: The scheme should incentivise work

At present, the first £5 of a single claimant's earnings, £10 of a couple's earnings and £25 of a single parent's earnings are not counted when calculating their weekly income for the purposes of determining their entitlement to council tax benefit.

The council proposes to increase this level by an additional £10 a week under its proposed scheme for single claimants, couples and single parents. This would mean that the first £15 of a single claimant's earnings, £20 of a couple's earnings and £35 of a single parent's earnings would not be counted when calculating their entitlement to council tax support

Principle 4: Everyone in the household should contribute

At present, a deduction is generally made from potential weekly council tax benefit entitlement in respect of other adults aged 18 or over living in the claimant's home. These are referred to as non-dependants. A non-dependant is a person who is living with the claimant but who is not dependent upon them, and not living in their home on a commercial basis, (i.e. as a joint tenant or sub tenant). Non-dependants include an adult son or daughter, a mother or father, friend etc of the claimant.

These people are assumed to be giving the claimant some money towards their council tax regardless of whether or not they are actually doing so. This assumed contribution is based upon the non-dependant's circumstances.

The draft scheme proposes doubling existing levels of these contributions. Additionally for other adults in receipt of job seekers allowance (income based), a charge of £6.60 is proposed instead of no charge as at present.

The current deduction rates applied to council tax benefit in 2012/13 and the proposed rates for the council's local CTS scheme are shown in Appendix C.

Principle 5: Better off claimants should pay relatively more so that the least well off receive greater protection

The draft scheme proposes to continue to reduce entitlement to help with council tax as income / earnings increase. However, it is proposed that the calculation of this is adjusted so that the rate at which council tax support reduces where weekly income exceeds basic living needs is 30p in every pound rather than the 20p currently applied. This is referred to as the taper, it is currently 20 per cent and will become 30 percent per week under the proposed CTS scheme.

Principle 6: Benefit should not be paid to those with relatively large capital or savings

At present, working age claimants with savings and investments above £16,000 are generally not entitled to council tax benefit.

Our proposal is that working age claimants with capital such as savings and investments amounting to over £6,000 shall not be entitled to council tax support.

Feature 1: Removal of second adult rebate scheme for working age claimants

The current second adult rebate scheme (whereby claimants whose own income is too high to receive CTB, but have other adult(s) in the household whose income is low, can receive a council tax discount of up to 25 per cent) is to be abolished for working age claimants.

Feature 2: Rate of allowances and premiums to be frozen at 2012/2013 levels

Premiums and personal allowances used to determine basic living needs for a claimant and their family when calculating entitlement to CTS shall be held at the rates applied for 2012/13.

Appendix C

Premiums and allowances

At present, premiums and allowances are used to determine a working age claimant's basic living needs for the purposes of the means test calculation performed. These are prescribed by statute and the amounts concerned are currently increased annually.

Our proposal is to continue to apply the existing premiums and allowances used for the national council tax benefit scheme with the relevant amounts retained at the 2012/13 levels and not subject to annual increases. Current premiums and allowances applied for 2012/13 are set out below:

Allowances and premiums used to determine basic living needs	Weekly amount in £
Single claimant aged 18 or over but less than 25	56.25
Single claimant aged 25 or over	71.00
Single claimant of any age and entitled to main phase employment support allowance	71.00
Single parent	71.00
Couple	111.45
Amount for a child from their date of birth to the day before the first Monday in September following their 16th birthday	64.99
Amount for a young person from the first Monday in September following their 16th birthday to the day before their 20th birthday	64.99
In the case of a polygamous marriage where none of the members of the marriage have reached the age of 60 and for the claimant and other party to the marriage	111.45
In the case of a polygamous marriage where none of the members of the marriage have reached the age of 60, for each additional spouse who is a member of the same household as the claimant	40.45
Family premium	17.40
Family premium (single parent rate)	22.20
Disability premium - single	30.35
Disability premium - couple	43.25
Enhanced disability premium - single	14.80
Enhanced disability premium - disabled child rate	22.89
Enhanced disability premium - couple	21.30
Severe disability premium - single	58.20
Severe disability premium - couple (lower rate)	58.20
Severe disability premium - couple (higher rate)	116.40
Disabled child premium	56.63
Carer premium	32.60
Components employment support allowance (income related) and contributory	
Work-related activity component	28.15
Support component	34.05

Non Dependant Deductions

Currently a deduction is not made from CTB if the:

- claimant or partner are registered blind or treated as blind
- claimant or partner are receiving the care component of disability living allowance or attendance allowance
- non-dependant is receiving pension credit, income support or income-based job seekers allowance or income-related employment and support allowance
- non-dependant is a prisoner
- non-dependant is severely mentally impaired
- non-dependant is over 18 but child benefit is still payable for them
- non-dependant is a student nurse or apprentice or on youth training
- non-dependant has been a patient in hospital for 52 weeks or more. If the non-dependant leaves hospital but is readmitted to hospital within 28 days, their total number of days in hospital are added together
- non-dependant is living in a residential care or nursing home
- non-dependant is a care worker
- non-dependant is a resident of a hostel or night shelter for the homeless
- non-dependant is a full-time student (even if they work full-time in the summer vacation).

Similar rules will apply for the proposed Council Tax Support scheme.

Description of deduction	Amount of weekly deduction in 2012/13	Proposed weekly CTS scheme deduction
Adult in receipt of pension credit guarantee credit or savings credit	Nil	Nil
Adult in receipt of employment support allowance (income related) main or assessment phase	Nil	Nil
Adult in receipt of job seekers allowance (contribution based) or employment support allowance (contribution based)	£3.30	£6.60
Gross income of adult in paid work is less than £183	£3.30	£6.60
Gross income of adult in paid work greater than or equal to £183 but less than £316	£6.55	£13.10
Gross income of adult in paid work greater than or equal to £316 but less than £394	£8.25	£16.50
Gross income of adult in paid work greater than or equal to £394	£9.90	£19.80
Adult in receipt of job seekers allowance (income based)	Nil	£6.60
Adult in receipt of income support	Nil	Nil
Adult working less than 16 hours per week or is on maternity, paternity adoption or sick leave	£3.30	£6.60
Any other adult not included in the above descriptions	£3.30	£6.60

www.brent.gov.uk/localcounciltaxsupport

Appendix A4 – Questions from Area Consultative Forums

Kensal and Kilburn ACF

- 1. Will the changes affect my 25% discount given for me being the only adult resident in my home?**

No. This discount is unaffected by the proposed changes.

- 2. How will efficiencies that may be obtained from preventing or reducing fraud impact upon the £5.2M savings required?**

Overpaid Council Tax Benefit is generally recovered from a claimant through their Council Tax monthly instalments and whether due to fraud or claimant error, attracts the same amount of subsidy from central government (i.e. 40%).

An overpayment can only be categorised as being due to fraud where a claimant has either been found guilty of an offence, admitted an offence in an interview under caution, or agreed to pay an administrative penalty. Consequently, overpayments identified as being due to Council Tax Benefit fraud are relatively small in comparison to overall expenditure and therefore would appear to have minimal impact upon the level of financial savings being sought from the localised Council Tax Support scheme next year.

I would add that the Council takes all reasonable steps to prevent fraud from occurring and will seek to prosecute in those cases where fraud has been identified and it is in the public interest to do so. Additionally, repayment of the overpaid amount of Benefit will also be sought from the claimant in such circumstances.

- 3. Will the proposed changes affect Council Tax discounts and exemptions?**

No. The proposals will not affect Council Tax discounts and exemptions.

- 4. Is the impact of the proposed changes being considered together with the other reforms taking place?**

An impact assessment of the changes is being carried out.

Wembley ACF

- 1. Will the changes affect my 25% discount given for me being the only adult resident in my home?**

No. This discount is unaffected by the proposed changes.

2. How will receipt of Disability Living Allowance (DLA) impact upon the proposals?

If you are in receipt of DLA, you will be protected from the requirement to make a minimum contribution of 20% towards your Council Tax.

3. Will you be contacting MENCAP regarding the proposals?

Yes. It is our intention to speak with their representatives tomorrow.

BME and Multi Faith Forum

1. Will the changes affect my 25% discount given for me being the only adult resident in my home?

No. This discount is unaffected by the proposed changes.

2. Is the existing capital limit £16,000 per single person and £8,000 per partner in a couple?

No. The amount is £16,000 per claim irrespective of whether it is a single person or a couple.

3. How will my Benefit be affected if I am unable to work but have savings over £6,000?

You will not be entitled to Council Tax Support.

4. How will my Benefit be affected if I am in receipt of Benefit and have savings less than £6,000 but am unable to work?

Your entitlement will be reviewed in the same way as it is now to take account of your change in household income.

5. Will the change in the capital / savings cut off to £6,000 be the same for Housing Benefit?

No. The capital / savings cut off will remain at £16,000 for Housing Benefit.

6. How have you publicised the proposed changes?

We have been visiting the Area Consultative Forums in the Borough, issuing leaflets to representatives of organisations and agencies that attend the service user consultative forum, we have written to advice and welfare agencies, registered social landlords and are issuing leaflets to Council Tax Payers with their bills. We are sending text messages to Benefit claimants where we have a mobile phone number for them and are emailing those with an email address. We are having posters put up at 80 venues around the Borough for 2 weeks from 24th July and have advertised in the Brent

Magazine. We are also meeting with some organisations and groups that may be affected by the proposals.

7. How is Benefit currently calculated?

Income received is compared to a basic living amount set by the Government each year and based upon the circumstances of the claimant's household. Generally, if a claimant has less weekly income than their basic living amount, they will receive 100% Benefit and have no Council Tax to pay. If the income they receive is greater than their basic living amount, the maximum amount of Benefit that they would have been entitled to is reduced by 20 pence for every £1 that their income exceeds their basic living amount.

8. Will the proposed changes apply solely to Brent Council?

No. Each Local Authority will have to set its own scheme. Consequently, there may be different schemes in operation for each Local Authority unlike at present where there is a single national scheme applied to all Local Authorities.

9. It is proposed that the amounts deducted from my Benefit entitlement for other adults resident in my home will be doubled and thus reduce my potential entitlement to Benefit. How am I supposed to pay this additional amount?

The Council has to find a way of achieving the £5.2M savings within the scheme whilst balancing this with the needs of the community and the three key features that the Government has indicated should be addressed within each scheme. The Council has proposed 6 key principles that it believes will help it to achieve this amount. These principles have been proposed for consultation with the community and are intended to seek comments and views from residents and organisation within the Borough to help us to evaluate whether these or other options should be included in the final scheme to be approved by the Council later this year.

10. What if the other adult in my home does not contribute?

This is a matter for the claimant and the other adult(s) resident in their household to address. It is identical to the situation that already exists within the current national Council Tax Benefit scheme. The Council Tax Payer will however retain the legal responsibility for paying the Council Tax for their home.

11. By increasing cuts does it encourage people to go for jobs? I'm better off on benefits aren't I?

The Council will have less money available to spend on supporting claimants in the Borough next year and therefore has some difficult decisions to make. However, there is a commitment to incentivise work and to this extent, we are

proposing to allow claimants to keep more of their weekly earnings without it affecting their Benefit entitlement.

12. Will EPP's still apply? Even with Universal Credit?

No. It is proposed in the draft scheme that extended payments will not be applied to cases where Universal Credit is in payment.

13. I don't think increasing the cuts will incentivise work – we need to train these people and give them the appropriate skills and experience.

The Council is proposing six key changes to the current national Council Tax Benefit scheme although there may be other options that could be proposed and considered. This is why the Council is consulting on the draft proposals and welcomes ideas and suggestions through the consultation process.

14. If I'm a full time worker and get sick can I get CTB/CTS? Will I be covered? Is there an exemption?

There is not an exemption for this but dependent upon your income, savings and circumstances, you may be eligible for some Council Tax Benefit / Council Tax Support. Please contact the Council for advice.

15. Please explain what hasn't changed as well as what has.

The existing national Council Tax Benefit scheme is intended to be replicated by the Council in the new Council Tax Support scheme apart from the changes indicated in the consultation document and set out in the published draft scheme.

16. Does the £6,000 capital limit include cars, televisions, etc?

Cars and televisions do not generally count towards the amount of capital that a claimant has.

17. You are penalising people for saving (then someone in the audience advised them to spend their savings)

The Council is proposing changes to the existing national scheme and consulting on these. The proposals are draft ones only at this stage and consequently any comments and views submitted during the consultation process will be considered and evaluated before determining the final scheme later in the year.

Kingsbury and Kenton ACF

18. Will the changes affect my single person discount?

No. This discount is unaffected by the proposed changes.

19. Will the new scheme have provisions for stopping benefits being paid to residents with ASBO's?

There are no proposals within the current draft scheme for Council Tax Support to be ceased where an ASBO has been issued to a resident in receipt of Council Tax Support.

20. If a non-dependant (i.e. another adult in the home besides a partner or joint owner or tenant) is staying with the claimant in order to save money to buy their own home, how can they be expected to meet their daily living needs if non-dependant deductions are proposed to increase?

The Council has to find a way of achieving the £5.2M savings within the scheme whilst balancing this with the needs of the community and the three key features that the Government has indicated should be addressed within each scheme. The Council has proposed 6 key principles that it believes will help it to achieve this amount. These principles have been proposed for consultation with the community and are intended to seek comments and views from residents and organisation within the Borough to help us to evaluate whether these or other options should be included in the final scheme to be approved by the Council later this year.

21. How can claimants be expected to support their non-dependants and pay the council tax?

The Council has to find a way of achieving the £5.2M savings within the scheme whilst balancing this with the needs of the community and the three key features that the Government has indicated should be addressed within each scheme. The Council has proposed 6 key principles that it believes will help it to achieve this amount. These principles have been proposed for consultation with the community and are intended to seek comments and views from residents and organisation within the Borough to help us to evaluate whether these or other options should be included in the final scheme to be approved by the Council later this year.

22. Isn't the new scheme the same as Poll Tax?

The proposed Council Tax Support scheme is not the same as the Poll Tax. Only the resident owner or tenant of a property is normally required to pay Council Tax unlike the Poll Tax where all adult residents were required to pay unless exempt. The Brent Council Tax Support scheme proposes changes to the level of support provided to claimants from next year but also retains many of the existing features in the national Council Tax Benefit scheme.

Willesden ACF

23. The least able to afford Council Tax are having large increases. Could wealthier people pay more Council Tax?

There is no scope to charge wealthier people a higher Council Tax, other than by the fact that Council Tax is a property-based tax in which those with larger properties are taxed more. The converse, however, does apply to some degree, in that residents on lower incomes can claim Council Tax Benefit / Support which depending on their circumstances may lead to them having a reduced Council Tax bill.

24. Will people in multiple households all have to make a contribution to the Council Tax under the proposed scheme rather than just one?

Under the current scheme all other adults in the household, whilst not liable to pay Council Tax, can have an effect on the amount of Council Tax Benefit awarded – based on an assumed contribution made towards household costs that depends upon the level of that other adult's income. It is proposed that these assumed contributions are increased – the increases take the contributions closer to what the other adults might have had to pay if they were liable for paying Council Tax in their own right.

25. Under the proposed scheme, the savings required are spread across the poorest people. This goes against the original principle of Council Tax whereby those with the largest houses should pay more. You should introduce further bands so that the larger houses pay more.

We cannot introduce further Council Tax valuation bands as these are prescribed by the Government. The £5m savings required are to be found from the money we traditionally pay to claimants as Council Tax Benefit. We have tried to be as fair as possible in spreading the effects of the changes across all of our Benefit customers. However, these are just proposals and that is why we need you to complete the questionnaires and tell us what you think.

26. The budget for this comes from a particular budget. Which department is it?

It is currently funded by the Department for Work and Pensions. Next year, it will be funded by the Department for Communities and Local Government.

27. These changes will require a huge amount of administrative work. Before you implement the scheme, will you go through enough testing to avoid an RBS style sham?

As the new scheme is very similar to the old scheme (with just a few small variations) our software suppliers are confident that the software updates will be ready in time.

Harlesden ACF

28. I am currently on the lowest level of benefits. I can barely afford to buy food. Now I am going to have to pay 20% of my CTAX. How am I going to find more money to pay you?

These are proposals and this is a consultation. We are asking if there any particular groups or persons that we need to consider protecting.

29. If I can't pay the 20% what happens? Will you take me to court?

We are currently investigating new and more flexible ways of collecting outstanding payments of Council Tax.

30. If there are 60,000 more residents in Brent (as per the census) than we are receiving funding for, why doesn't the Council make representations to central government to get more money?

We can't change this year's settlement but we're getting together with nine other Boroughs to make representations for a better settlement next year.

31. Nine councils are representing for a better settlement. Here's a solution: If they don't get satisfaction they should go into deficit.

We are compelled to set a legal and balanced budget otherwise we may be committing an offence.

32. Will the benefit calculation be localised? It is a very complicated system and people do not know, for example, how much discount they will get if they go back to work.

The principle of how someone makes a claim for Council tax Support will generally be the same as at present. Under the proposed scheme, a claimant will still be assessed on their own requirements and they can claim whether they are in or out of work. Customers can ask us to explain how much help they would receive in any given set of circumstances.

33. I work for a homeless organisation. People find it hard to sustain accommodation. What kind of consultation have you done - in particular with those who cannot afford or sustain accommodation?

We have consulted with a long and diverse list of local groups. If there are any groups that we have missed, please tell us and we will try and arrange something.

34. Asking everyone in the house to contribute sounds like poll tax. One of the problems is people may start asking someone (i.e. another adult in

their home) to leave. We need to be careful we do not create a bigger problem as this could lead to more people becoming homeless.

Council Tax Support is not the only proposed change – the impact of the proposed changes need to be considered as part of the welfare reforms as a whole. Taking this into account, customers will need to consider other issues. For example, asking someone to leave a household could have an adverse impact upon their Housing Benefit entitlement. We would therefore encourage customers to talk to us to find out exactly how these changes may affect them.

With regards to similarities with the Poll Tax, under the proposed scheme we are not intending that every adult in a property pays Council tax. We are however proposing that we will take account of the income of other adults in the household where Council Tax Support is paid. For example, an adult son or daughter in the household earning £400 per week would be assumed to make a reasonable contribution towards the household bills for the home and consequently, the level of Council tax Support given would take that into consideration.

35. Have you been comparing your proposed scheme with those of other boroughs?

Every borough is required to establish its own scheme. We have been comparing our proposals with those of other boroughs that have so far made their proposals public.

36. Did you decide your scheme yourself or did you use consultants?

We have used a consultant resource but the proposed scheme has been decided by council officers and members.

37. In terms of consultation, did you start by consulting with those customers that are already in receipt of Benefit? Have you consulted schools? How many responses have you had?

We are making effort to consult with current benefit claimants and other Brent residents. Many of the groups we have consulted do represent existing claimants. We have publicised the scheme, sent text messages and e-mailed existing claimants and sent leaflets out with Council Tax bills. We have not consulted with schools. In terms of responses, to date we have received just under 90.

Appendix A5

Comments from Service Users Consultative Forum Voluntary Organisations

- This is another 'cut' in a long line of others from central government and could be seen as the final straw for families under ever increasing strain from the economic and welfare changes.
- There is anger at the statutory requirement to consult on the proposals when there was no choice about the fundamental change; namely that the existing council tax benefit system will no longer be as before
- There is a question about the point of discussing the alternative system as it will be too little to address the extreme need of vulnerable people
- There is a need to go out to families through road shows and similar and outline the range of impacts of this change locally combined with other welfare reforms in a clear picture format. No paper documents, online web accessed questionnaires etc, but human response to need. There is a need to show what help is available for these people and an expectation of further advice around debt, housing, employment etc.

Council Commentary

A consultation was conducted by the Government regarding their proposals for localising Council Tax Support between August and October 2011.

The Council has through the various activities mentioned in the methodology section of this document, sought to obtain as many comments and options regarding its proposed CTS scheme from residents and stakeholders in the Borough and has endeavoured to engage and obtain views from as many organisations and residents as possible. The needs of vulnerable people have been considered with due regard to Policy Statements of Intent issued by the DCLG and with reference to the Council's obligations under statute and these are set out within this report and associated documentation. To this extent, the Council has proposed protection from the proposal to make a minimum 20% contribution towards Council Tax in its scheme for disabled persons, carers and persons in receipt of war pensions. Other proposals include disregarding certain forms of income and providing premiums for specified circumstances.

Publicity and communication are being given high priority and a communication and publicity campaign is being developed in relation to both the CTS scheme and wider welfare reforms to ensure that residents and other stakeholders are aware of the changes and how these may affect them significantly in advance of annual Council Tax bills being issued next year.

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Appendix A6

Consultation Comments and Responses from Consultation Questionnaires

Comments from Brent Council Children and Families Service

We would not want relevant families and young people (ie either service users or carers) who currently receive Council Tax Support to experience any additional disadvantage as a result of the proposed changes. We would identify those relevant families and young people to be –

- Care leavers
- Foster carers
- Families with low income or benefit dependent
- Special Guardian Carers – (these are specially assessed family related carers for children who have been in care)

Council Commentary

Care Leavers

Where a person leaves care, they may be able to get housing help from Social Services. Any protection considered for a care leaver under the Council Tax Support Scheme may potentially need to be within a complete financial year as each Local Authority's Scheme has to be reviewed on an annual basis. The income / earning potential for a care leaver is considered to be less likely to be constrained in the same way as that of other protected persons for example and consequently, protection is not proposed for this group. However, they will be able to elect to pay their Council Tax by 12 monthly instalments for next year and payment arrangements may be given in certain circumstances. It may also be possible for such persons to receive assistance under new Social Fund arrangements that will become the responsibility of the Council from 1st April 2013.

Foster Carers

Local authorities are responsible for the maintenance of looked-after children. Where a child is placed in foster care, the cost of caring for the child is often paid to the foster carer in the form of a fostering allowance. To ensure that no foster carer is out of pocket because of their caring role, a national minimum allowance (NMA) was introduced. Rates are published up to 2012-13. Local authorities are expected to pay over the basic NMA if the child needs it and their individual costs are anticipated to be higher. Many fostering services will pay a fee in addition to the allowance in recognition of the foster carer's time, experience and skills. The provision of protection from the minimum 20% contribution to Council Tax is not specifically proposed for such persons as they receive a fostering allowance to ensure that they are not out of pocket and the amount of a fostering allowance will be disregarded as income if it is received from a Local Authority, voluntary organisation or in the case of respite care payments, a primary care trust. Additionally, if the foster carer is in receipt of a carer's allowance, they will be entitled to protection under the

Council's proposed scheme. They will also be able to elect to pay by 12 monthly instalments rather than the 10 that currently exists for Council Tax Payers and payment arrangements may also be appropriate in certain circumstances.

Families with low income or benefit dependent

As a consequence of the funding gap that will arise from the proposed 90% fixed grant and the protection for persons of pensionable age being prescribed by the Government, the proposed changes will affect all working age claimants unless they are protected. Those in receipt of the lowest incomes will potentially receive the greatest support subject to eligibility and those in receipt of the highest incomes will have their rate of entitlement reduced through the effects of the taper. The reduced funding available inevitably means that the numbers and types of claimant protected from the effects of the 20% minimum contribution towards Council Tax needs to be met within the financial resources available. There would be a significant degree of administrative complexity involved in determining what constituted a low income or benefit dependence and the cost of providing protection for this group within such a wide definition is anticipated to be significant. The proposed scheme proposes protection for persons of pensionable age, disabled persons and recipients of war pensions and certain types of income will be ignored when calculating entitlement to support such as child benefit, guardians allowance. This option has therefore not been progressed.

Special Guardian Carers

A Special Guardianship Order gives the special guardian legal parental responsibility for the child which is expected to last until the child is 18. Unlike Adoption Orders, these orders do not remove parental responsibility from the child's birth parents, although their ability to exercise it is extremely limited.

In practice, this means that the child is no longer the responsibility of the local authority, and the special guardian will have more clear responsibility for all day-to day decisions about caring for the child or young person, and for taking important decisions about their upbringing, for example their education. And, importantly, although birth parents retain their legal parental responsibility, the special guardian only has to consult with them about these decisions in exceptional circumstances.

It is not proposed to provide protection for special guardian carers as their earning / income capacity is not considered to be constrained in the same way for example as other protected persons. However, any guardians allowance received will be disregarded as income when calculating entitlement to support. Additionally, they will be able to elect to pay by 12 monthly instalments rather than the 10 that currently exists for Council Tax Payers and payment arrangements may be given in certain circumstances.

Comments from Strategy, Partnerships and Improvement

The Council's child poverty needs assessment has provided a sound evidence base of what child poverty levels are like in the borough. These

suggest an average of 34% of households experience child poverty issues within the Borough which increases in certain neighbourhoods such as Stonebridge and Harlesden.

Supporting people in the most deprived areas is a regeneration strategic priority. Since the welfare changes and particularly the impending Benefit caps next year and Council Tax Support changes, achieving the strategic objectives will be more challenging.

It means that resources will have to be used to support people that are most vulnerable – many of which are already engaging with our services, but also many that are not and will turn to the local authority for support.

Brent is the 35th most deprived borough in the UK and deprivation is spreading into other wards. The Borough has moved up 18 places in deprivation rankings since 2007 thus meaning deprivation levels have got worse.

The Council may be unable to fulfil its vision for reducing child poverty levels by 2021 with families being “squeezed” to pay out more from the limited funds they have.

Less disposable income means that families will have less money to pay for children’s clothing, heat and food in the worst case scenario.

The most vulnerable groups as set out below may be affected the most and thus need to be considered for any additional protection – these being people with mental health, looked after children, young people (18-24), lone parents, large families and those with English as a second language and lacking basic skills and qualifications to enter the competitive jobs market.

There are still many low income families – and for those that will no longer receive a 25% reduction where they have a second adult resident, who is in receipt of Income Support for example, will also make people worse off.

Additional concerns include possible increases in crime which is sometimes evident in these situations – and consequently more costly to public services and the public purse overall.

The capacity of other services including Brent Customer Services, Housing and Citizens Advice Bureau is uncertain. For example, are they equipped with supporting families to find solutions on how they will be able to afford the Council Tax?

Council commentary

Employment and training support within the Borough will be provided (through existing providers including strategic partners at JCP, CNWL and BACES – Work Programme and Brent’s new employment offer) and for which a team of

'navigators' will be established to support people. This is due to commence in 2013). In many ways employment is often the only route out of poverty – but it needs to be work that pays.

Within the proposed Council Tax Support Scheme, the addition of an extra £10 per week earnings disregard for earned income will permit single parents to earn up to £35 per week before it affects their entitlement to support and in the case of couples £20 per week. An additional premium will also be given for each child that is resident in the claimant's household and a weekly child care disregard of up to £175 per week for a single child and £300 per week for two or more children may be given where the claimant or their partner works 16 hours or more per week and qualifying criteria are met. The receipt of Child Benefit and Guardians Allowance will be disregarded when calculating the amount of income that a claimant has. Fostering allowances are also disregarded as income in the support entitlement calculation.

The "Rethink Mental Illness" website indicates the following:

"Many people with mental illness receive Disability Living Allowance (DLA) which is paid in addition to other benefits regardless of capital. It is paid to people who have difficulty in going out alone - the mobility component; and/or who need help with personal care - the care component".

Protection has been proposed within the Council's proposed local Council Tax Scheme from the requirement to make the minimum 20% Council Tax contribution for vulnerable persons including those in receipt of Disability Living Allowance that may be available to persons experiencing mental health issues. Additionally, no non dependent deduction will be made where the claimant or any partner receives the care component of the disability living allowance payable at any rate.

Looked after children are not generally liable for payment of Council Tax as they are not aged 18. However, they may be indirectly affected by proposals and hence the areas of mitigation outlined in the comments above are relevant to such instances. Young people are increasingly remaining at home with their parents according to recent ONS reports. Where this occurs, non dependent deductions may be made from the claimant's support entitlement dependent upon income and circumstances. No deductions are however made where the non dependent is in receipt of Income Support or Employment Support Allowance (income related) for either the main or assessment phase. Where the young adult has a Council Tax liability, the provision of a discount of 25% where they reside on their own may be given and instalments may be paid over 12 months next year rather than the 10 currently offered. Payment arrangements may also be given in certain circumstances. An Equalities Impact Assessment for claimants according to their age has been undertaken and is included in Appendix D to the main Council Tax Support report to the Executive.

An increased awareness of funding and support will be established to assist vulnerable groups such as the ESF Families Project (in addition to an array of other publicly funded projects to support people into employment). Also, the Council's Troubled Families initiative will be rolled out in 2013 and will identify 800 of the most troubled families to give them additional support.

Consideration of funding through the Social Fund will be given. This will become a Local Authority administered fund from April 2013. Consideration will also be given to the promotion and availability of other discretionary funds administered by the Council.

The Council will work closely with key stakeholder organisations such as the Citizens Advice Bureau in preparing for the implementation of the new scheme and reviewing the existing Anti-Poverty Strategy and Council Tax Recovery Policy.

Additional features that will be available for next year include the option for Council Tax Payers to elect to pay by 12 monthly instalments rather than the 10 currently offered. Additionally, payment arrangements may be provided in certain circumstances.

Whilst second adult rebate is proposed to be withdrawn, the Council Tax that may be payable as a consequence may be paid over 12 months from next year rather than the 10 months currently offered. Payment arrangements may also be given in certain circumstances. The Council will review its anti-poverty strategy and recovery policy in consultation with key stakeholders to ensure that statutory obligations and duties are considered and addressed accordingly. The cost of retaining the existing level of support would be approximately £87,000 that would need to be met either from elsewhere within the scheme or from alternative sources of funding.

Comments from Housing

The proposed scheme strikes the right balance between the different needs.

Council Commentary

Brent Customer Services will work closely with Housing Services and related stakeholders including Brent Housing Partnership and Housing Associations to ensure that persons rehoused are aware at that time of the provision of Council Tax Support and complete an application for support where appropriate at the earliest opportunity. The Council Tax Payer will be able to elect to pay by 12 monthly Council Tax instalments next year rather than the present 10 and payment arrangements may be given in certain circumstances.

Comments from Brent Mental health User Group

Council officers attended the Brent Mental Health User Group meeting attended by 18 of their representatives. Representatives requested that the proposed protection for certain claimants currently receiving Council Tax Benefit from the effects of having to pay the proposed minimum 20% Council

Tax be given further consideration. More specifically, it was indicated that consideration should be given to including a remit within the definition of disabled that is wider than physical disability.

Council Commentary

Currently, persons experiencing mental health difficulties may be eligible for Disability Living Allowance or Employment and Support Allowance. The Council's recommended scheme already provides protection for claimants against the minimum 20% Council Tax contribution if they or their dependants are in receipt of disability living allowance or a disability or enhanced disability premium. One of the conditions for an enhanced disability premium is that the claimant is in receipt of an employment and support allowance (support component). Consequently, the receipt of either of these income types would be sufficient to ensure that the claimant was protected from the 20% minimum contribution. Additionally, attendance allowance and disability living allowance will be disregarded as income when calculating entitlement to Council Tax Support. Entitlement to a Disability Premium will also arise where a claimant is incapable of work and has been incapable of work for 52 weeks due to long term sickness. In view of the above features already included within the proposed scheme, this option has not been progressed further.

Comments from Mencap

It was identified from discussions concerning the Council's protection for disabled customers from the proposal to pay a minimum of 20% Council Tax, that some members may not meet the proposed protection requirements as they did not receive disability living allowance although they were registered with Social Services.

Council Commentary

Council Tax statutory provisions exempt the Council Tax Payer from liability to pay Council Tax if they are the only resident and they meet qualifying criteria for severe mental impairment. In general terms, entitlement to this exemption is based upon the following:

- The person is suffering from severe impairment of intelligence and social functioning which appears to be permanent,
- They are in receipt of one of the following benefits:
 - Disability Living Allowance care component at the middle or highest rate
 - Attendance Allowance
 - Constant Attendance Allowance
 - Severe Disablement Allowance
 - Employment and Support Allowance
 - Incapacity Benefit
 - Income Support including a disability premium (this includes anyone whose partner has a disability premium for them included in their income-based Jobseeker's Allowance)

- the disability element of Working Tax Credit
- They are stated to be severely mentally impaired in a certificate issued by a doctor or registered medical practitioner.

Additionally, where a person would normally be jointly liable for Council Tax with another resident and they meet the above conditions, they cannot be held jointly liable and hence Council Tax liability will rest with the other resident or residents who may be eligible in their own right to apply for Council tax Support.

As such, the protection from the minimum contribution of 20% by virtue of the claimant or a dependant in their household being entitled to a Disability Living Allowance or Employment Support Allowance (Support component) may also be relevant in such circumstances.

The disregard of any Independent Living Fund payment from income when assessing entitlement to support will also apply to Council Tax Support claims where appropriate.

Protection from the minimum contribution of 20% Council Tax is also proposed within the scheme where the claimant or their partner are in receipt of a carer's allowance due to providing care to another person.

The above features are intended to ensure that the proposed scheme provides protection for persons not in receipt of disability living allowance as well as those that are.

Help Somalia Foundation

An initial meeting was held with representatives of the Help Somalia Foundation and a further two meetings were held and attended by 29 members of the Somali community organised by a representative of the organisation and attended by a translator from the organisation.

The key findings from the consultation meetings held with this organisation were as follows:

- Protection for families with children
- The proposed 20% minimum contribution required by all Council Tax Payers in receipt of Council Tax Support (unless protected) would be very difficult for the community to achieve due to the combination of other factors already impacting upon their disposable income. This includes for example, the Housing Benefit cap. To this extent, a request was made for the Council to review the potential for reducing the minimum contribution. In conjunction with the above, a request was made to consider extending the protection given to certain groups and individuals. The specific nature of the request was to include couples (including polygamous marriages) and single parents where they have children aged 5 and under within the protected categories.

- In conjunction with the above, a request was made to consider extending the protection given to certain groups and individuals. The specific nature of the request was to include couples (including polygamous marriages) and single parents where they have children within the protected categories. The initial discussions centred on children aged up to 5 although it was the view of the group that consideration should be given to extending this to include couples and single parents for all children aged under 18.
- The reduction in the capital cut-off limit for claiming Council Tax Support from £16,000 to £6,000 was considered (on its own) unlikely to significantly and adversely affect the community.

Council Commentary

The Council's recommended scheme proposes that CTS recipients pay a minimum of 20% towards their Council Tax (unless protected) and has been determined based upon the anticipated funding deficit that the Council is likely to experience from 2013/14 after allowing for proposed changes to Council Tax discounts and exemptions. Any reduction in the level of minimum contribution will need to be met from other sources including the Council Tax Payer.

It is currently understood that the proposed software for administering the scheme may not have the functionality to provide protection for single parents and families with children from the effects of the minimum contribution for Council Tax or for specific ethnic groups within the Borough. However, irrespective of any potential software implications, an analysis has been undertaken to determine the cost for providing protection for families with children under certain ages. In the case of families with a child aged under three years old for example, the following results were obtained:

Passported Caseload	Other caseload	Already protected caseload	Total	Based on Band C Council Tax	Based on Band D Council Tax
1853	2593	195	4641	£4.66 weekly or £1.1M per annum	£5.24 weekly or £1.2M per annum

The potential implications of providing protection to these cases were this option available would be a gross increase in the levels of scheme expenditure as follows:

Band C Council Tax £1.1M
 Band D Council Tax £1.2M

If the protection were to be given to all families with children aged 5 and under, 6486 Council Tax Benefit recipients not already identified as eligible for

protection could qualify. This would represent a gross increase in the levels of scheme expenditure as follows:

Band C Council Tax £1.6M
Band D Council Tax £1.8M

If the protection were to be given to all families with children aged 12 and under, 10,729 Council Tax Benefit recipients not already identified as eligible for protection could qualify. This would represent a gross increase in the levels of scheme expenditure as follows:

Band C Council Tax £2.6M
Band D Council Tax £2.9M

If the protection were to be given to all families with children aged 16 and under, 12,233 Council Tax Benefit recipients not already identified as eligible for protection could qualify. This would represent a gross increase in the levels of scheme expenditure as follows:

Band C Council Tax £2.9M
Band D Council Tax £3.3M

If the protection were to be given to all families with children aged 19 and under, 12,886 Council Tax Benefit recipients not already identified as eligible for protection could qualify. This would represent a gross increase in the levels of scheme expenditure as follows:

Band C Council Tax £3.1M
Band D Council Tax £3.5M

Consequently, the provision of protection for the above groups of claimant would be significant and would need to be offset either by making significant savings through other elements of the proposed scheme or by the use of alternative sources of funding such as through Council Tax levels.

Consideration has also been given to reducing the minimum contribution from the 20% proposed. However, this could require approximately £3M in savings to be found elsewhere within the scheme or from alternative sources of funding.

These options have therefore not been progressed further.

Child benefit and guardians allowance will be disregarded as an income in the proposed scheme, an additional premium will be awarded for each dependant child resident in the claimant's home and a child care disregard will be available for up to a maximum of £175 per week where the claimant has one child and £300 per week where the claimant has two or more children and the qualifying conditions are met.

No response has been made to the reduction in the capital limit as this was considered unlikely to impact significantly and adversely upon the community.

Greater London Authority – GLA

The information below has been taken from the Greater London Authority's formal response to the Council's consultation.

“The GLA recognises that the determination of council tax support schemes under the provisions of the Local Government Finance Bill is a local matter for each London borough. Individual schemes will need to be developed which have regard to specific local circumstances – both in respect of the potential impact of any scheme on working age claimants (particularly vulnerable groups) and more generally the financial impact on the council and local council taxpayers – and the final policies adopted may differ therefore across the capital's 33 billing authorities for legitimate reasons.

This fact notwithstanding the GLA also shares in the risks and potential shortfalls arising from the impact of council tax benefit localisation in proportion to its share of the council tax in each London billing authority. It is therefore important that we are engaged in the scheme development process and have an understanding both of the factors which have been taken into account by boroughs in framing their proposals as well as the data and underlying assumptions used to determine any forecast shortfalls – which will inform their final scheme design.

The Government has expressed a clear intention that in developing their scheme proposals billing authorities should ensure that:

- Pensioners see no change in their current level of awards whether they are existing or new claimants
- They consider extending support or protection to other vulnerable groups
- Local schemes should support work incentives and in particular avoid disincentives to move into work

The GLA concurs with those general broad principles and would encourage all billing authorities in London to have regard to them in framing their final schemes.

It is also essential that schemes are presented in a way which is transparent, understandable and accessible to claimants – and we therefore welcome the inclusion of working examples of the potential affects on different claimant groups on Brent's consultation website. However the current level of awareness amongst working age claimants likely to be affected by the potential changes is relatively low and this may not crystallise until these individuals receive their revised benefit notifications and council tax bills for 2013-14 early next year. This may adversely affect collection rates in the first year of the new system.

According to the consultation paper 'Localising Support for Council Tax in England – Funding arrangements consultation' issued by CLG in May Brent is provisionally estimated to receive £23.7m in council tax support grant in 2013-14 with the GLA forecast to receive £6.9m in respect of the Brent borough area and around £159m for London as a whole. Slightly less than 50% of this funding will be allocated to the business rates retention baseline and will thus have the potential to move in line with the NNDR tax take including the impact of the annual RPI uplift in the multiplier – with the balance being provided through revenue support grant (RSG). The RSG element has the potential to be reduced further over the next CSR period commencing in 2015-16.

In developing its proposals for consultation Brent has identified a potential difference of between £6.4m and £7.6m between the cost of continuing to provide council tax support on the same basis as at present through the 'default scheme' for working age claimants and its expected level of council tax support grant. Its forecast shortfall in respect of the GLA's share is between £1.2m and £1.5m. We welcome the fact that Brent has provided a significant degree of disclosure in relation to its funding shortfalls including a potential range of outcomes.

The Council's draft scheme therefore seeks to identify approaches which would allow it to close the majority if not all of this expected funding gap – with the core element of its proposals being that all working age claimants (excluding certain designated vulnerable or protected groups) be required to pay at least 20% of their council tax liability.

Where boroughs choose not to adopt the default scheme and therefore pass on any shortfalls to claimants they should seek in their scheme to provide an element of protection to the most vulnerable and those in the most difficult circumstances – either within the framework of their scheme or through a hardship scheme.

The GLA notes the intention of Brent to classify the following claimants as being vulnerable and thus protect them from the minimum contribution payable by working age claimants of 20%.

Claimants or their dependants who are entitled to a disability premium, enhanced disability premium or disabled earnings disregard and claimants in receipt of Disability Living Allowance, Disabled Persons Reduction for Council Tax purposes, War Disablement Pension and/or War Widow's Pension.

Ultimately the decision as to which groups are designated as vulnerable is a matter for local determination but in principle the GLA considers that there is a logical rationale for Brent's proposed policy taking into account the policy framework set by central government and the objective that council tax support schemes should be designed in away which does not disincentivise work.

The GLA considers that a key priority for the design of a localised council tax support scheme is to ensure that it does not disincentivise those in work or those seeking to move into work. In order to ensure that schemes meet this objective billing authorities should therefore take particular care in determining their policies on earnings disregards and extended payment periods (i.e. run ons).

In principle therefore we welcome the proposal within Brent's draft scheme to protect work incentives by increasing the earnings disregard (i.e. the amount which claimants who are working are allowed to retain before losing eligibility for support) by £10.

The GLA also notes the other proposed elements of Brent's draft scheme as set out below. It has no specific comments on them at this stage as it regards them as being a legitimate matter for local determination:

Claimants will not be entitled to support if they have savings exceeding £6,000;

The proposed doubling of weekly non dependent deduction rates with a minimum weekly deduction of £6.60 for those non dependants in receipt of income support, job seekers allowance (income based) or income related ESA – this change being introduced to deliver on the council's state principle that all working age adults not in protected groups should contribute towards their household's council tax bill;

A notional income of £1 per week shall be assumed for each £250 of capital held between £3,000 and £6,000;

Premiums and personal allowances used to determine basic living needs for a claimant and their family when calculating their entitlement to CTS shall be held at the same rates in 2013-14 as in 2012-13;

The withdrawal of the second adult rebate.

The GLA considers that in formulating its council tax support scheme each billing authority should both consider and address how it intends to take advantage of the technical reforms to council tax which will provide greater flexibility in relation to discounts and exemptions for second and empty homes. The additional revenues from the technical reforms could be used to reduce any shortfalls and thus the sums which need to be recovered from working age claimants via any changes to council tax support.

We note that Brent intends to take advantage of these new powers and proposes to adopt new policies. The GLA notes that the Council estimates that these changes will generate an additional £1.65m in council tax revenues in 2013-14 (comprising £1.3m for Brent and £0.37m for the GLA).

The Council will be required to set a council tax base for 2013-14 taking into account the potential impact of the discounts it will be offering in respect of council tax support and the changes in relation to the treatment of second and empty homes.

This will require the Council to make a judgement as to the forecast collection rates from those claimants affected by the changes. It is likely in respect of those working age claimants currently in receipt of 100% benefit that the recovery rates will be significantly below the average percentage collection for council tax as a whole. We also note that the Council does not intend at this stage to offer a hardship scheme given the protection it is providing to certain vulnerable groups.

The GLA would encourage the Council to provide it with an indicative council tax base forecast as soon as options are presented to members for approval in December or January (if not before) in order that it can assess the potential implications for the Mayor's budget for 2013-14. This should be accompanied ideally by supporting calculations disclosing any assumptions around collection rates.

The GLA notes the letter received from the Council dated 9 August seeking discussions as to how the budgeting, cashflow and accounting arrangements for council tax support will operate under the new system in order to manage the sharing of risks between the two authorities. These discussions would also need to address the mechanisms and triggers under which billing authorities will be able to vary their instalment payments to preceptors (i.e. the GLA) in year where, for example, council tax collection rates are lower than anticipated or the actual demand for council tax support is greater than budgeted for.

We anticipate that the Government will address these issues in the secondary legislation on council tax support and business rates retention in the autumn – as similar issues are also likely to apply where business rates revenues are lower than forecast.

In the absence of any nationally prescribed policy the GLA would be keen to develop a common wide approach in London on these matters which would apply equally across all 33 billing authorities.

This could for example follow the current approach used for the Crossrail Business Rate Supplement where instalments may be varied no more than once per quarter with the trigger for any variation being where the forecast shortfall in revenues exceeds a set percentage of the total precept instalments payable for the year. This would recognise that there is a balance to be struck between cashflow and resource management and the additional administration which would result for both parties if instalment payments were to be changed.

In practice – where shortfalls are not material – the GLA would envisage that any deficits would be recovered through the collection fund deficit calculation in January in the normal way (and thus recovered in the following financial year in cash terms).

I would like to thank you for consulting the GLA and we look forward to working with the London Borough of Brent over the coming months in order to ensure the successful implementation of the council tax support localisation reforms.

Council Commentary

The Council intends to undertake an extensive and timely communication and publicity programme in advance of annual billing for 2013/14 to ensure that residents are aware of the changes and their impact as well as the wider welfare reforms. Estimated collection rates have been incorporated within the financial modelling undertaken and based where reasonably practicable upon any currently available data and information concerning collection.

The reference by the GLA to the proposed doubling of weekly non dependent deduction rates with a minimum weekly deduction of £6.60 for those non dependants in receipt of income support, job seekers allowance (income based) or income related ESA is incorrect. The Council proposes to retain a nil deduction for non dependants in receipt of Income Support and Employment Support Allowance (Income Related). Only the JSA(IB) deduction will change from nil at present to £6.60 per week.

The reference by the GLA to a notional income of £1 per week assumed for each £250 of capital held between £3,000 and £6,000 is also incorrect. There is no proposal to provide for a tariff income as the capital limit has been reduced to £6,000 within the recommended scheme.

The Council will liaise with the GLA concerning an indicative tax base at an early stage.

The reference to the term “does disincentive work” is assumed to be an error.

Citizens Advice Bureau

The Citizens Advice Bureau submitted the following comments for consideration concerning the proposed scheme that was subject to consultation.

“There have been some concerns around right to reside decision for non-economically active EEA national. DWP’s assessment is usually followed. It is important that non economically active EEA nationals are assessed on a case by case basis and ensure that they are not excluded automatically.

Details of any appeals rights should be specified

Applications: It is not clear whether an application for Universal Credit or Housing benefit would trigger an automatic application for Council Tax Support (CTS). Similarly, it is worth looking at whether reporting a change of circumstances for HB or UC would be forwarded to CTS

Recovery: Is the recovery process of overpaid CTS to remain the same i.e. by clawing it back from the Council Tax account?

Similarly, in cases where a maximum NDD is applied especially for school leavers, it would be best practice for the decision (and how conclusions were reached) is available

There is an opportunity to incorporate the recommendations of the Council Tax Arrears Good Practice Protocol (2009) and the most recent Good Practice protocol on Enforcement of Council Tax arrears (<http://www.irrv.net/forums/alert/documents/BailiffsOutcomesProtocol.pdf> and look at recovery in the light of the proposed changes

There is a need for a public awareness campaign so people understand the changes which are coming. From our experience, many people in receipt of CTB do not think that they are not liable for Council tax. This will require a cultural change

There is no mention of whether interim payment if delays occur has been considered.

There should be a clear policy on the factors that the local authority would take into account in considering requests under section 13(A)

It would be good practice in cases where suspension of CTS falls into one of the categories listed, a similar approach is systematically adopted by the recovery team

Payments to next of kin is at paragraph 22.0 is not clear enough

Brent CAB is concerned and worried about the detrimental impact that the changes to the council tax scheme will have on local residents. 10.3% of Brent's local population are unemployed and nearly 16% receive an out-of-work benefit. There were 30,620 benefit claimants as at 31/03/2011 including over 9,500 JSA claimants and 12,500 ESA/IB claimants. A further 4,000 were lone parents. Kilburn, Stonebridge and Willesden Green wards had the highest count of people on long-term sickness benefits.

Whilst the average income in Brent falls within the government's stated 'median' income of £26,000 which it proposes to use as a 'benefit cap', this masks extremely low incomes in Harlesden, Stonebridge, Kilburn, Willesden Green and other wards which are among the 10% most deprived in the country. Brent CAB fears that being made to pay an additional 20% minimum towards the council tax will bring about a return to the days of the community

charge, when individuals, finding themselves unable to pay the charge, fell into considerable arrears resulting in large sums paid by the local authority in administration and recovery costs.

Whilst we are acutely aware that Brent Council has little choice but to implement a replacement scheme for council tax benefits, we urge you to consider exercising leniency and using the maximum discretion possible in the implementation of the recovery process. We also urge you to enter discussions with the bureau on the procedure and implementation of a fair code for the recovery of council tax debt, at the earliest possible opportunity”.

These were supplemented by a more detailed response for consideration which has been set out below in bold font together with a commentary.

Claimants are often unsure about how to make a claim and believe that once they have submitted a claim for one benefit, this action automatically passports them to payment of another. This must be made clear in the claims process for CTS, and if possible where appropriate, automatic claims should be accepted when a claim is made for housing benefit, or the relevant claim details sent to the claimant.

Council Commentary

The proposed scheme will define the claims process for Council Tax Support. Claims made to the Council from 1st April 2013 for Housing Benefit purposes will be used where applicable as a joint claim for Council Tax Support purposes. Where Housing Benefit transfers to Universal Credit, from October 2103 onwards, such a feature will not be provided.

Recovery: Is the recovery process of overpaid CTS to remain the same, i.e by clawing it back from the Council Tax account? Where a liability order has been obtained in respect of CT arrears for the same financial year and the Council wishes to obtain a new liability order to include the new arrears created as a result of the claw back, we believe the Council should be willing to waive the associated costs of the new liability order. It would be good practice for the Council to have a policy on the circumstances in which it will agree to waive the aforementioned associated costs.

Council Commentary

The Council proposes to recover overpaid Council tax Support from the Council Tax Payer via the Council Tax account in a similar way to the present national CTB scheme. The Council’s recovery policy and anti-poverty strategy are to be reviewed as a consequence of the proposed changes and the issues raised will be considered and evaluated at that time and the Citizens Advice Bureau consulted accordingly. The position regarding costs is not a factor to be incorporated within the Council’s local CTS scheme.

The NDD for those in receipt of contribution-based ESA is high. No NDD will be applied to those in receipt of income based ESA. This does not seem for apply to those on CB-ESA who do not have any capital or any

other income. Those who have made enough contributions should not be treated less favourably. It may be worth considering cases on their individual merits. We believe strongly that no one claimant group should be affected more adversely than another through the introductions of this change, which makes it important for the local authority to adopt a discretionary approach to claims.

We would also want to see the council acting reasonably, ie applying an NDD in full only in circumstances where it is clear this applies to the non-dependant – e.g. where the non-dependant is in full-time employment and earning over a particular level of income. If the non-dependant is a school leaver, the likelihood that the maximum NDD should be applied is remote and the council should act reasonably and apply a more appropriate NDD in such circumstances. Similarly, in cases where a maximum NDD is applied, especially to school leavers, it would be best practice for the decision (and how conclusions were reached) to be available to the claimant.

Council Commentary

Under the existing national Council Tax Benefit Scheme, a non dependent deduction (NDD) is not applied where the non dependent is in receipt of Employment Support Allowance (Income Related). However, a non dependent in receipt of the contribution based element is subject to a weekly deduction of £3.30. The proposed scheme retains this distinction on the basis that the income related benefit is for those persons that have an income below the means test level relevant to their circumstances and are therefore less likely to be able to contribute towards the claimant's household bills. If a person in receipt of the contribution based Employment and Support Allowance has no capital or other income, they may be eligible to apply for the income related benefit. Additionally, the administrative work that would be needed to determine the income and capital of a non dependent in receipt of the contribution based Employment and Support Allowance and the potential onus on the claimant to obtain it may present added complexities that could delay claims and be difficult to enforce in practice. For these reasons, the Council does not intend to revise the proposed deduction levels.

The Council proposes to have a predetermined and consistent approach to the application of non dependent deductions to provide clarity and certainty for claimants concerning entitlement and to ensure that decision making is consistently applied to support claims. A discretionary approach to claims concerning non dependent deductions could result in varying decisions concerning entitlement and create confusion and inconsistency for claimants. Additionally, financing decisions and budgeting would be less certain if cases were considered on individual merits.

The Council will have regard to its scheme, statute, best practice and case law when considering and making decisions concerning non-dependent deductions and will apply these to each case based upon the information available at that time.

Decisions concerning entitlement will be communicated to the claimant and they will be entitled to request a written statement of reasons about matters not contained within the decision notice regarding their claim for support. An appeals process will exist for claimants that are aggrieved by the decision made concerning their claim.

There is an opportunity to incorporate the recommendations of the Council Tax Arrears Good Practice Protocol (2009) and the most recent Good Practice protocol on Enforcement of Council Tax arrears www.irrv.net/forums/alert/documents/BailiffsOutcomesProtocol.pdf and look at recovery in the light of the proposed changes. Indeed, we would welcome discussions with the council on the collection of CT arrears, and would encourage them to follow the best practice of Wiltshire Council which adopted an excellent example of a recovery process in January 2012 (see: <http://www.wiltshire.gov.uk/ctax-wilts-council-code-of-practice-recovery-tax-debt.pdf>). We would also like to see a copy of Brent's code of practice when it is eventually produced. To date, we have not seen this.

Council Commentary

The Council will consider the above documents when reviewing its existing recovery policy in preparation for the proposed changes and will consult with the Citizens Advice Bureau regarding the proposed content and approach.

There is a need for a public awareness campaign so people understand the changes that are coming. From our experience, many people in receipt of CTB do not think that they are liable for Council Tax. This will require a cultural change. This will be required not only by claimants but also, and most importantly, by council officers.

Council Commentary

The Council recognises the importance and magnitude of this work and is currently developing a publicity and communications campaign that will incorporate the above and wider welfare reforms significantly in advance of the annual Council Tax bills being issued in March 2013. The training and development of employees and communication to other work colleagues is a key component of the Council's current projects programme with timescales, activities and responsibilities being defined, implemented, monitored and reviewed.

Also, councils will have a disincentive to encourage benefit take-up, but we would urge Brent to ensure that this is done as widely as possible. There would be advantage to the council in launching such a campaign, as income maximisation will help reduce the impact of the CT changes on household budgets.

Council Commentary

The Council will continue to monitor the take up of Council Tax Support and compare it with national and local statistics available. Take up campaigns are generally developed and implemented in a co-ordinated manner and it is

envisaged that such an approach will be applied to any future take up campaign for CTS purposes.

There is no mention of whether interim payments have been considered for situations where there are delays in assessments for support from the scheme. The current system allows for this when a full decision on claims remains outstanding. Interim payments will avoid the claimant falling into arrears, and recovery action could be delayed until matters are sorted out.

Council Commentary

Interim payments are currently only applicable to Housing Benefit Rent Allowance cases and not to Council Tax Benefit. The Council has an existing recovery policy that sets out its approach to cases where the award of entitlement to CTB has been delayed and this will be reviewed to incorporate the proposed changes for the purposes of the CTS scheme. The Council will consult with the Citizens Advice Bureau concerning the content and approach proposed within this policy.

There should be a clear policy on the factors that the local authority would take into account in considering requests under section 13(A). We would expect such factors to include but not be limited to a) where liability orders in respect of the arrears are more than 6 years old and there has been no contact or part-payment in respect of the arrears within this period; b) where a taxpayer is jointly liable to pay CT with another person but the other has moved out and can no longer be contacted or traced and the remaining taxpayer has paid at least half of the liability and is unable to make further payment due to financial hardship.

Council Commentary

The application of Section 13(A) is considered to be a separate matter to the administration of the Council Tax Support Scheme. However, the Council Tax Support Scheme will set out how an applicant may apply for a discount under this provision in accordance with the proposed statutory Council Tax Support Scheme requirements.

It would be good practice in cases where suspension of CTS falls into one of the categories listed, a similar approach is systematically adopted by the recovery team.

Council response

The Council has an existing recovery policy that sets out its approach to cases where the award of entitlement to CTB has been delayed for example and this will be reviewed for the purposes of the CTS scheme. The Council will consult with the Citizens Advice Bureau concerning the content and approach proposed within this policy.

Payments to next of kin is at paragraph 22.0 is not clear enough

Council commentary

The contents of this section have been reviewed in the proposed scheme to improve clarity.

When considering the impact of the changes, the following groups should be considered as vulnerable and therefore in need of additional support:

- a) age, especially those over the age of 70 or over 60 and in sheltered accommodation;**
- b) disability or other impairment;**
- c) mental health issues;**
- d) long term or serious illness;**
- e) low income, e.g. those who are unemployed and/or on benefits;**
- f) sudden change of circumstances, e.g. bereavement, divorce, illness, loss of employment, recently having given birth or adopted**
- g) caring responsibilities;**
- h) recently having left the armed forces;**
- i) recently being released from a custodial sentence;**
- j) recently suffered or suffering domestic violence;**
- k) being in a refuge or safe house.**

Council Commentary

In considering protection for the groups indicated by the CAB, protection is already proposed within its recommended scheme for claimants of pension credit age (i.e. 61+ at present) and for those with a disability or other impairment.

Mental health issues and long term and serious illnesses are also included within the Council's definition of vulnerable as previously outlined within this report through entitlement to Disability Living Allowance and Employment Support Allowance (Care Component). Additionally, where the claimant or their partner is in receipt of a Disability Living Allowance, no non dependent deduction will be made if there is another adult resident in their home.

Providing protection for claimants on a low income could potentially include the entire caseload. A more specific definition of unemployed and / or on benefits would need to be determined to specify what benefits and unemployed actually meant for the purposes of protection. The administrative complexity involved in determining the types of benefit and unemployment that may be within scope for this proposal, is anticipated to be significant not least due to the potential need to establish reasons for unemployment. As the proposed scheme is intended to provide support for those in receipt of a low income or benefit through the means test and effects of the taper, and other options have been considered elsewhere within this report, no further commentary is added here.

Sudden change of circumstances, e.g. bereavement, divorce, illness, loss of employment, recently having given birth or adopted

Council Commentary

Where a claimant's partner claims Council Tax Support within one month of the claimant's death or their separation from them, and the claimant was in receipt of Council Tax Support at that time, the date of claim will be the date of the separation or death. Additionally, the backdating provisions may permit the date of claim to be an earlier date if good cause can be demonstrated for not having applied sooner. Further provisions are made to ignore a claimant's capital where their former property is occupied by their former partner and the claimant is now a single parent or for up to 26 weeks from the date it ceased to be occupied in the case of estrangement or divorce.

Adoption allowances and Child Benefit are disregarded as income for the purposes of Council Tax Support. Additionally, where a person has given birth, they are awarded an additional premium for their newly born child. Disregards of weekly child care costs of up to £175 for one child and £300 for two or more children may also be given where the qualifying criteria are met.

Protection for sudden illness would be administratively complex to implement as it would potentially require evidence to be obtained of the nature and duration of the illness. Consideration may also need to be given to the number of previous instances of such an occurrence and their reasons and the duration of any protection that may be appropriate. Illness is currently provided for within the protection available to a claimant from entitlement to a disability premium. Additionally, premiums exist for claimants in receipt of the work related activity component and support component of employment and support allowance and personal allowances exist for main phase employment and support allowance.

Protection for sudden loss of employment would be administratively complex to implement as it would potentially require evidence to be obtained of the reason for the loss of employment and nature of the sudden unemployment. Consideration may also need to be given to how temporary employment and voluntary work may feature within any qualifying criteria. Consideration may also need to be given to the number of previous instances of such an occurrence and their reasons and the duration of any protection that may be appropriate. Payments for remuneration in lieu of notice and lump sum redundancy payments may also need to be considered under this option if it is intended that protection should be given to those that are likely to need it most as opposed to everyone that has lost their employment. For the above reasons protection is not proposed. However, they will be able to elect to pay their Council Tax over 12 monthly instalments rather than the 10 currently available and a payment arrangement may be available in certain instances.

Caring Responsibilities

Council Commentary

It has been proposed within the consultation responses in general that carers who are liable for payment of the Council Tax should be protected. Consideration has been given to providing protection to persons in this group and in view of the financial viability of extending the protection as set out in the main report to the Executive, the fact that carers are more likely to have a limited ability to increase their earning / income potential due to providing care for 35 hours per week and to support disabled persons, it is proposed that where the claimant or their partner is in receipt of a Carers Allowance, they should be protected from the requirement to make a minimum contribution of 20% Council Tax.

Recently having left the armed forces

Council Commentary

The Council's proposed scheme provides for protection to be given in those cases where a war pension or war disablement pension are received by the claimant or a dependant in their family. This provides for cases where an injury, illness or death occurs up to 6 April 2005. However, for such cases that occur after this date, the Armed Forces Compensation Scheme provides for Guaranteed Income Payments to be made where the person concerned has a serious injury or illness.

A Survivor's Guaranteed Income Payment (SGIP) may be paid to a partner where the person's death is caused by service in the Armed Forces. Unmarried surviving partners must meet certain criteria to be eligible.

As post April 6th 2005 cases were not addressed within the Council's draft scheme definition for protection, it is proposed that these incomes be included within the criteria for protection and also for a full disregard as income in the assessment of entitlement to support.

Recently being released from a custodial sentence

Council commentary

The type of custodial sentence and the definition of "recently released" may need to be considered to determine potential eligibility for protection to be given to this group. Eligibility for protection may also need to be considered in relation to the status of the applicant having been released from custody (e.g. working, unemployed, etc) and the duration it should continue for.

In view of the administrative complexity that would be likely to arise from determining such cases this option has not been progressed.

Recently suffered or suffering domestic violence

Council Commentary

This would be administratively complex to determine and validate. The definition of “recent” would also need to be more precisely defined in terms of timescale.

Liability for Council Tax is based upon where an adult has their sole or main residence. If a person has left their home but has an intention to return, they are likely to retain their sole or main residence at their former address and consequently Council Tax liability and entitlement to Council Tax Support would be assessed in respect of that place.

The proposed scheme however does provide additional support to such persons to the extent that where they have had to leave their home through fear of violence in the home or from a former member of their family, but intends to return to their home within a 52 week period, entitlement to support will be continued in respect of that place.

Being in a refuge or safe house

Council Commentary

Council Tax is payable at the home where a person aged 18 or over has their sole or main residence. Where the claimant has left their home and is resident in a refuge or safe house, they will continue to be liable for Council Tax at the place where they have their sole or main residence and may be eligible to apply for CTS in respect of that residence. CTAX is understood to not generally be payable for a refuge although rent maybe and consequently Council tax Support may not be applicable in that instant. The position concerning a safe house would depend upon individual circumstances. Council Tax may be payable in respect of the claimant’s sole or main residence and CTS could be applied for in respect of that home. It is unknown how many claimants are currently resident in a safe house as such cases are not identifiable from existing systems.

The proposed scheme however does provide additional support to such persons to the extent that where they have had to leave their home through fear of violence in the home or from a former member of their family, but intends to return to their home within a 52 week period, entitlement to support will be continued in respect of that place.

Consideration may also be given to whether such persons may be eligible for a Social Fund payment under the new arrangements transferring to the Council from the DWP in April 2013.

Network Housing Comments

Network broadly agree with all of the six principles, so long as appropriate safeguards are in place to protect vulnerable households and those on low incomes to enable them to manage their household expenses and avoid unmanageable levels of debt.

However they expressed concerns around Principle 2. In particular, they wished to widen the criteria for a 'vulnerable claimant' to consider inclusion of the following classes of person:

- Those with a medical condition affecting their mental or physical health, but who are not in receipt of disability living allowance
- Those requiring extra support, for example those leaving care services, or those accepted as homeless by Brent council and there is an outstanding duty owed to rehouse them from temporary accommodation
- Those who have benefit only dependent income but who also have severe debt problems

These were elaborated on further in their answer to question 3 (and answer to question 5 below where they also suggested a new 10% liability for all working age classes of person (i.e. have no exemptions for liability to pay a % of council tax for working age persons).

Q.2 To what extent do you agree or disagree that the following proposals are fair?

Principle 1: All working age claimants to pay a minimum of 20 per cent of their Council Tax.

Principle 2: Protect disabled claimants from the 20 per cent minimum contribution.

Principle 3: Increase the earnings disregard by £10 per week

Principle 4: Double the current range of deductions charged for other adults living with a claimant from the 2012/13 charges, and introduce a charge for other adults on job seekers allowance (income based)

Principle 5: Increase the taper from 20 per cent to 30 per cent

Principle 6: Reduce the savings cut-off limit to £6,000 from the current £16,000

Feature 1: Abolish the second adult rebate for working age claimants

Feature 2: Premiums and personal allowances to be frozen at 2012/2013 rates

Network raised concerns with regards to Principle 1. In particular, they stated that not all working age claimants on benefits will be able to pay 20 per cent of the Council Tax without it exacerbating their financial situation further. The working age claimants referred to means those who are already in debt.

They also stated that consideration should be given to the Universal Credit and benefit caps which are coming in April 2013. Some of these claimants will be exposed to budgeting for the very first time and will have to deal with competing priorities as to what debts and expenditures are serviced. Some of these claimants will find themselves in an impossible situation if needing to find additional funds to meet council tax liability whereas previously they had no personal liability to pay.

Council Commentary

Due to the changes arising from the funding of the Council Tax Support Scheme through a fixed grant based on 90% of the Benefit expenditure for 2010/11, financial modelling of options has identified that a minimum contribution towards Council Tax of 20% would be required to meet the funding gap anticipated as set out in the main report to which this appendix forms a part. Consideration of a lower proportion would be insufficient to meet the level of expenditure reduction required to bridge the funding gap based upon the 90% fixed grant payable from 2013/14.

Whilst it is recognised that there are external factors to the proposed Council Tax support Scheme that will undoubtedly have an impact upon a resident's ability to pay, these have been factored into the financial modelling conducted in terms of anticipated collection rates. These have not been evaluated directly within the Equalities Impact Assessment as they are national policies defined by central government. Council Tax Payers will be able to elect to pay by 12 monthly instalments from next year rather than the 10 offered at present and payment arrangements may also be given in some circumstances.

It is not possible to identify all claimants that may have a debt as only Council Tax debts can be identified from current records and what constitutes a debt may be dependent upon the amount, duration, type of outstanding amount, etc. The Council has an anti poverty strategy and recovery policy that set out arrangements for managing the repayment of debts and the circumstances when they are applied and that is sensitive to the individual circumstances of residents and this will be reviewed in consultation with key stakeholders such as the Citizens Advice Bureau for example in preparation for the implementation of the Council Tax Support Scheme.

Protection from the proposal to make a minimum contribution of 20% towards Council Tax is intended to apply to disabled persons, carers and person in receipt of war pensions and other features such as disregards for child benefit and guardians allowance will mean that entitlement to support is not affected by receipt of these.

3. Please provide details of other groups that we believe should be protected from making the minimum contribution and why.

We think that restricting the criteria for vulnerable working age claimants to just those residents or households with a member with a disability and receiving disability living allowance (or war widow pension) is too restrictive.

We would like to see the eligibility for “Class 3” working age people considered vulnerable widened to include those that are also one of the following:

- Those who have a medical condition (affecting their mental or physical health) but are not in receipt of disability living allowance or any of the other disability premiums listed;
- Those who are going through some changes that mean they need some extra support (for example leaving care services or have been accepted as homeless by Brent Council and there is an outstanding duty owed to re-house them from temporary accommodation);
- Those who have benefit only dependent income but who also have severe debt problems (for example, county court judgements, bankruptcy or a bad credit rating, preventing them from using a bank account).

Network believe that these classes of resident can be considered as vulnerable as residents claiming Disability Living Allowance and War Widow Pensions when it comes to managing the financial affairs of the household and trying to stay out of arrears and debt.

Homeless households living in temporary accommodation provided by Brent Council in particular are going to be affected by the new maximum caps for benefit payments from 2013. As these households are temporarily placed in the private rented sector while they wait for the offer of an affordable home from Brent Council, some households have a rent that is in instances more than or equal to the entire amount of benefit related income the household will be eligible for under the capped payments in 2013. (Currently around 76 temporary accommodation households being housed on behalf of Brent Council have a rent that is equal to or exceeds the household's total income from all sources of benefits under the capped payments, with others left with reduced household income also.) Therefore it will be impossible for these households to also find the 20% contribution toward their council tax which could be around £22.70 per month based on a typical Band D property.

We are also concerned that many vulnerable tenants that may have left care or have medical conditions, drug and alcohol dependency and/or a history of debt and arrears, will struggle to make the minimum contribution. Aside from any financial difficulties of needing to budget their benefit payment to pay their council tax bill, we would be interested

to know what safeguards Brent Council are considering when residents fall into arrears. For example, the housing sector has a definition of vulnerability for claimants of Local Housing Allowance whereby the benefit that covers rent can be paid direct to landlords in certain circumstances as the aim is to help the household sustain their tenancy. But under the local council tax scheme there is no actual benefit 'credit' paid – the resident is expected to cover the 20% council tax liability by finding the money from within their overall benefit payment and make the payment transaction to the council. Therefore what plans does Brent Council have for vulnerable residents such as those we have outlined when they fall into council tax arrears? As direct payments cannot be an option since there is no actual benefit credit being paid, how will the council support residents to make payments easily and without entailing additional costs for the household where it is obvious that they are failing to cope? It cannot be appropriate to take vulnerable residents to court and to push households into unsustainable levels of debt that might cause them to lose their home and/or a court summons/ jail sentence.

Council Commentary

The Council has an anti-poverty strategy and recovery policy that currently sets out how it will support and assist Council Tax Payers that either have or may fall into arrears with their payments and the manner in which payment arrangements and collection of monies due will be collected. This includes the approach to be taken for “vulnerable” persons such as those outlined by Network Housing in their submission above. This will be reviewed as a consequence of the proposed changes in consultation with other key stakeholders in the Borough although it is not a specific feature or requirement of the proposed Council Tax Support Scheme.

Additionally, from next year, 12 monthly instalments will be provided to Council Tax Payers that elect to pay by that method rather than the 10 currently available to assist in spreading the financial effects of the changes.

It will be important to ensure that vulnerable persons claim any entitlement to support at the earliest opportunity to ensure that the potential for arrears is minimised. To this extent, the Council will work closely with the Housing Service and other connected stakeholders to ensure that the scheme is promoted and that persons are able to access and claim support at an early stage. Additionally, backdating provisions will be included within the scheme to enable vulnerable persons to apply for their support to be backdated by up to six months where there is continuous good cause for them not having applied sooner.

The proposed protection for disabled persons, carers and persons in receipt of war pensions extends to those who may have medical conditions that entitle them to a disability premium and may include persons who are long term sick where they are incapable of work and have been for 28 weeks if they are terminally ill or 52 weeks in any other case. Whilst consideration has

been given to protection for other medical conditions in general, this would be administratively complex to establish and maintain and has therefore not been progressed further. Consideration has also been given to extending protection to include care leavers, those that are benefit dependent or with debt, and persons subject to homeless provisions.

In the case of benefit dependency, the administrative complexity and hence potential cost involved could make this option complex particularly as potentially all working age claimants currently in receipt of Council Tax Benefit are benefit dependent. The proposed scheme is intended to provide greater support to those in receipt of a low income through the effects of the taper with protection for specified vulnerable groups.

Protection for claimants with drug or alcohol dependence from the 20% minimum required contribution for Council Tax will be applicable where they are entitled to a disability premium, enhanced disability premium or receive disability living allowance. Where these are not applicable, they will be able to elect to pay their Council Tax by 12 monthly instalments for next year and payment arrangements may be given in certain circumstances. Additionally, the Council's anti-poverty strategy and Recovery Policy will be reviewed in consultation with other stakeholders to ensure that collection and enforcement of Council Tax is sensitive in such circumstances.

Where a person leaves care, they may be able to get housing help from Social Services. Any protection considered for a care leaver under the Council Tax Support Scheme may potentially need to be within a complete financial year as each Local Authority's Scheme has to be reviewed on an annual basis. The income / earning potential for a care leaver is less likely to be constrained in the same way as that of other protected persons for example and consequently, protection is not proposed for this group. However, they will be able to elect to pay their Council Tax by 12 monthly instalments for next year and payment arrangements may be given in certain circumstances.

Where a claimant has debt, protection would be difficult to administer as potentially the debt issue would need to be identified and evaluated and may be difficult to determine. However, the Council has an anti-poverty strategy and will review this and the recovery policy applied to enforcing Council Tax payments in consultation with key stakeholders to ensure that these are consistent and appropriate. The provision of 12 monthly instalments for Council Tax collection increasing from the existing 10 will also assist those Council Tax Payers that take up that option and payment arrangements may be given in certain circumstances. Existing provisions concerning bankruptcy and administration orders that are applied to Council Tax will continue and be unaffected by Council Tax Support provisions.

The impact of the proposed scheme has been considered within the Equalities Impact Assessment included as Appendix D to the main Council Tax Support report.

Q.5. Comment on how the proposals will affect particular individuals or groups more than others and how this might be addressed

Large households who are going to be affected by the benefit capped payments from April 2013 will be affected by Brent Council's proposals. For many households the cap may mean they are already going to receive less money to cover their household expenses, and so meeting the new obligation to pay 20% contribution toward council tax is going to further erode their income.

One option to address this might be to at least consider lowering the minimum contribution from 20% to 10% but to meet the shortfall by requiring class 3 working age claimants on disability living allowance or war widow's pension to also meet a 10% contribution. The maximum capped benefit payments coming into force in April 2013 exclude disability living allowance – so therefore these households actually receive more income in benefits than the classes of vulnerable resident that we have outlined. A typical 10% contribution is likely to be more manageable for vulnerable residents (including those on Disability Living Allowance) – using the Band D council tax example it would be around £11 per month rather than a more unmanageable £22. We think Brent Council should model the 10% liability for all working age persons as opposed to having any exemptions to see if this would prove viable.

Council Commentary

A financial model based upon a minimum contribution of 10% with no protection for any groups has been considered but this would only achieve £2,685,013 gross savings in 2013/14 against a funding deficit likely to be in the range of £2.7M and £3.8M for that year based upon the proposed mitigation by using revenue from Council Tax exemptions and discounts changes being agreed. The potential impact on the gross savings figure arising from estimated collection rates during that year means that the net saving arising from a 10% contribution is likely to be nearer to £2.14M based upon an 80% collection rate. This would mean that a funding deficit would still exist and need to be met from other sources. The 90% fixed grant proposed by the government is based upon 2010/11 expenditure levels and therefore does not take account of growth in caseload and expenditure. It also takes no account of any potential changes in Council Tax levels. Whilst mitigation has been proposed in the form of additional revenue from changes to discounts and exemptions, this still leaves a funding deficit to be addressed.

Council Tax Payers will be able to elect to pay their monthly instalments over 12 months from April 2013 unlike the 10 offered at present and payment arrangements may be available in certain instances to assist with the financial effects of the change.

The Council's anti-poverty strategy and recovery policy for Council Tax will be reviewed in consultation with other key stakeholders to incorporate changes agreed.

Brent Council has said it is doing an equality impact assessment of how the proposals affect particular households, and which percentage of households with a new personal liability to pay 20% of their council tax are also going to be affected by the new capped benefit payments. We think the results of this assessment should be looked at closely in order to determine if there are further classes of people that should also receive exemption from the requirement to pay the minimum 20% contribution. In addition Brent Council should publish the findings of this analysis for organisations submitting a response or expressing an interest in this consultation. We are also concerned about households that have a history of failing to manage their financial affairs and making rent and other household payments on time, and believe they will be negatively impacted by needing to meet council tax payments. To offset this the Council needs to ensure some way of ensuring a direct payment mechanism where it is obvious that a vulnerable resident is failing to cope: although there is no longer to be an actual benefit credit that covers council tax, there needs to be some way that where arrears have reached a dangerous level for the household that they can have their 20% contribution paid directly out of their overall benefit/ Universal Credit payment.

In addition we think that Brent Council could assist with benefit claimants' ability to meet their council tax contribution by aligning the day a households council tax payment is due with the new monthly benefit payment cycle that will be introduced under Universal Credit.

Council Commentary

An Equalities Impact Assessment has been conducted for the proposed Council Tax Support Scheme and this is set out in Appendix D to the main report.

Careful consideration has been given to the level of minimum contribution required to meet the anticipated funding gap as a consequence of the proposed funding changes. However, it is clear that a level set below 20% would not deliver the level of reduction in expenditure needed to meet this.

A financial model based upon a minimum contribution of 10% with no protection for any groups has been considered but this would only achieve £2,685,013 gross savings in 2013/14 against a funding deficit likely to be in the range of £2.7M and £3.8M for that year after the provision of additional revenue anticipated from the proposed changes to discounts and exemptions. The potential impact on the gross savings figure arising from estimated collection rates during that year means that the net saving arising from a 10% contribution is likely to be nearer to £2.14M based upon an 80% collection rate. This would mean that a significant funding deficit would still exist and

need to be met from other sources. (i.e. between £0.56M and £1.66M based upon the above figures).

It is known that there are currently 2,440 Council Tax Benefit claimants that will be affected by the Benefits cap from 1st April 2013 and which represents approximately 10% of working age claims. The introduction of the Benefit caps is a national scheme for which the effects are not therefore incorporated within the Equalities Impact Assessment for the Council Tax Support Scheme. However, a review of the Council's Anti-Poverty Strategy and Recovery Policy will be undertaken in consultation with other key stakeholders to ensure that these incorporate scheme changes agreed. Additionally, 12 monthly instalments will be available to Council tax Payers that elect to pay by that method from 2013 rather than the 10 currently available at present and payment arrangements will also be available in certain circumstances.

Alternative options submitted through the consultation process for additional classes to receive protection have been considered and the results from consideration of these are set out within this report.

The Council will consider the potential for aligning Council Tax payment dates with the new monthly benefit payment cycle for Universal Credit as part of its preparations for next year.

Q.6. Please provide any additional comments.

We think that Brent Council has much to do in terms of awareness raising for affected households that previously had 100% of their council tax covered by council tax benefit. It needs to be made clear to these households that they will have a liability to pay something from next April and they also need to be made aware of the payment options available to them. In addition it would be worth further raising the profile of the current consultations around the draft proposals for the local council tax support scheme before they are considered by Cabinet to ensure that affected households have a further opportunity to raise any concerns before proposals are finalised by Brent's elected councillors.

We also think that Brent Council should publish its proposals for adapting its strategy for tackling council tax arrears for households. There will need to be support and advice given to households that fall into council tax arrears (and may in fact have multiple debts such as rent arrears and utility bills) which will require an approach different to that currently undertaken for the recovery of council tax arrears (ie court summons, private debt recovery agencies, and jail in worst instances).

Council Commentary

A communications and publicity campaign is being developed to ensure that the proposed changes and their impact upon residents and stakeholders are communicated significantly in advance of their effective date next year. This will include instalment payment options and methods of payment and it is

proposed that residents will be offered the option of paying by 12 monthly instalments next year rather than the 10 at present.

As set out earlier in this report, a considerable effort was made to obtain responses and obtain the views of both residents and other stakeholders through the consultation and engagement process that unfortunately was not represented by the volumes of responses received. Further consultation beyond the agreed timescale was not possible due to the need to obtain Full Council approval to the local scheme by 31st January 2013 latest and to fit with the Council's budgetary timescale as well as to obtain the software, test it and prepare for Council Tax annual billing.

The Council will be reviewing its anti-poverty strategy and Recovery Policy in consultation with other key stakeholders to ensure that it incorporates the changes needed as a consequence of implementing the Council Tax Support Scheme.

Capita Comments

The following comments were submitted by Capita under the consultation arrangements conducted:

“We understand that, for many local authorities, the 10% shortfall in funding following the abolition of Council Tax Benefit represents a significant funding gap that cannot be met from Councils' finances. We therefore understand your approach in the design of a localised scheme that addresses the reduction in funding in an equitable manner. We are involved with a number of local authorities in the implementation of Council Tax Support and we are acutely aware of the difficulties that are being faced when designing local schemes.

Having reviewed Brent's proposed scheme we believe that the overarching approach of a minimum contribution for all working age claimants is consistent with many other Councils and that this represents a straightforward mechanism that is clear in its aims, through the structure of the six key principles, and easy to understand.

However, we also welcome the additional elements of the scheme that address the underlying DCLG requirements:

The protection of certain vulnerable groups (disability or war pension) and the funding of the protection through additional scheme design elements; and

Providing incentives to work through an increase in the earnings disregard and the retention of a taper that prevents a cliff edge reduction in entitlement. However, we would like to mention that the DCLG makes specific reference to the requirement to consider the obligations imposed by the Child Poverty Act 2010. We appreciate that this may form part of the Council's Equality Impact Assessment but any

such consideration is not immediately apparent from the consultation documentation. In reviewing the proposed scheme we have also given consideration to the potential impact when the level of support for particular claimant groups is reduced. We are sure that the Council is aware of the likely impact on operational and customer facing resources but want to raise the issue of Council Tax collection as an area that requires further discussion. As a result of reduced support, specific claimant groups will either have increased or new liabilities that will result in an increase in the number of small debts that have to be collected from those with the least ability to pay.

We believe that this will lead to increased collection costs and reduced collection levels and the Council will also need to consider its approach to enforcement in relation to such debts. We would also add that the impact of additional welfare reforms (under occupancy and the benefit cap) also has the potential for one or more of these reforms to adversely affect individual households. The cumulative loss of benefits, for those unable to make up the shortfall, will cause increased financial instability with decisions having to be made as to what is the most important bill to pay including basic household expenditure.

For Councils this is likely to mean that arrears for both Council Tax and rent increase with limited scope for a proportionate improvement in recovery.

Consideration will therefore need to be given to the impact of recovery and operational costs. As stated above, your proposal for the scheme will undoubtedly have an adverse impact on collection performance and lead to increased customer contact. Capita would therefore welcome formal discussions to review the existing contractual requirements and the potential increased costs of collection

Council Commentary

The draft scheme was a proposal for consultation intended to obtain the views and comments of stakeholders concerning the proposals and to enable the Council to give due consideration to these when making its decision on a final scheme for recommendation.

In the main report to the Executive, obligations concerning the Child Poverty Act have been set out. To this extent, the scheme proposes for example to completely disregard Child Benefit income received within a claimant's household. Additionally, the applicable amount to be used for calculating Support entitlement will comprise personal allowances for children thus ensuring that households with children have a higher applicable amount to reflect their basic living needs. The proposed scheme increases the earnings disregard by £10 per week for single parents and families thus enabling them to earn more before their Benefit entitlement is affected. The child care disregard of £175 per week for one child and £300 for two or more children

permitted where the claimant or their partner works at least 16 hours per week and other qualifying criteria are met, also addresses this requirement.

An initial meeting has been held with Capita to review any potential impact arising from the proposals in terms of both contractual arrangements and operational matters and this will continue over the coming months to determine the operational and cost implications of the recommended scheme.

As has been outlined already within this report, there will be the facility for Council Tax Payers to pay their monthly instalments over twelve months next year rather than the ten available at present and payment arrangements may be available in certain circumstances. The anti-poverty strategy and recovery policy will also be reviewed in consultation with key stakeholders in preparation for the implementation of the scheme.

Khalida Khan - An-Nisa Society

We would like to support the Citizen Advice Bureau's response. We are unable to complete the questionnaire due to lack of time.

Council Commentary

The Council commentary to the CAB proposals has previously been set out in this report and applies equally to the An-Nisa Society.

Catalyst Housing Response

Catalyst Housing Association commented upon their concerns with the cumulative impact of Welfare Reform changes on their residents. They stated that households wholly reliant upon benefit were already adversely affected by the Welfare Reform Act and unlikely to be able to cope with additional financial burdens imposed upon them. They also stated that households with four or more dependent children (disproportionately represented by ethnic minority and non-Christian groups) and those who are under-occupying and unable to move due to a lack of suitable alternative accommodation would have significant amounts to pay out of the 'living costs' element of Universal Credit to make up the shortfalls due to the total benefit cap and the 'bedroom tax'.

They did not think it reasonable to reduce the disposable incomes of the poorest further by making them pay a minimum contribution towards their Council Tax and indicated that their experience from Community Charge was that more money was spent recovering arrears from people on benefit (arising from the 20% contribution payable by those receiving Income Support) than was collected and suspect that if the Council were to implement their proposals, this would occur again and not achieve the Council's financial objectives.

They did not consider that the Local Council Tax Support scheme should be used to incentivise work as the design of Universal Credit already does this through larger disregards, absence of total benefit cap for those who work and more generous childcare costs.

They agreed that non-dependent deductions should be increased, and agreed with the abolition of the second adult rebate. They were ambivalent about any change to capital limits.

Council Commentary

The Council's recommended scheme proposes that CTS recipients pay a minimum of 20% towards their Council Tax (unless protected) and has been determined based upon the anticipated funding deficit that the Council is likely to experience from 2013/14 after allowing for proposed changes to Council Tax discounts and exemptions. Any reduction in the level of minimum contribution will need to be met from other sources including the Council Tax Payer and / or reserves. A reduction in the level of the minimum contribution has been modelled but would not achieve the required reduction in expenditure levels to meet the anticipated funding gap without significant changes being made elsewhere within the scheme or alternative sources of funding. Council Tax instalments will be available over twelve months next year rather than the ten at present and payment arrangements may be available in certain circumstances. The anti-poverty strategy and recovery policy will both be reviewed in consultation with key stakeholders in preparation for the implementation of the agreed scheme.

The Council has considered the effects of its proposed CTS scheme within its Equalities Impact Assessment and the results of this are set out in Appendix D to the main report to the Executive.

The Government published draft regulations stating that a Billing Authority must have regard to any guidance issued by the Secretary of State. A Policy Statement of Intent concerning work incentives published by the CLG has been considered and incentives have been included within the recommended scheme accordingly. As such, it is considered that the Council would need to have compelling reasons for not providing a work incentive within its scheme. Consequently, this proposal has been discounted.

As the Council's proposals to increase non dependant deductions and cease second adult rebate for working age claimants has been agreed and the response was ambivalent towards capital limit changes, no further response is required for these comments.

Consultation Questionnaire Responses – Free Text Responses

The following highlighted free text questions were included within the consultation questionnaire and are included within this report for completeness and consideration. A commentary has been made in relation to comments and proposals submitted where appropriate. In some cases, the response may be summarised.

Question 3: With reference to Principle 2 set out above and further explained in Appendix B, please give details of any other groups that you believe should be protected and give reasons why.

There were a range of responses to this question with some respondents giving a range of possible options and other respondents giving no response. Consequently, the number of options provided does not equate to the 184 responses received.

Comments have been grouped into specific themes for the purposes of this report and can be summarised as set out below. Due consideration that has been given to each of the responses below where appropriate and should be cross referenced to the Equalities Impact Assessment conducted for the purposes of the Council's recommended scheme.

Job Seekers Allowance and Universal Credit

There were seven proposals for this option out of the 184 responses received. From October 2013, existing cases of Job Seekers Allowance (income Based) will commence migration across to Universal Credit. Contributory based Job Seekers Allowance will however remain separate. Providing protection merely for contribution based job seekers allowance recipients will not be reasonable and appropriate if income based recipients of job seekers allowance do not receive protection also. As Universal Credit will be for in and out of work claimants, the distinction between the various claimant circumstances will be administratively more complex to identify.

As Universal Credit will also include Income Support recipients, Employment and Support Allowance (Income Related) and Working Tax Credit, this would effectively mean that the existing "passport" caseload plus some existing "non-passported" cases could be eligible for protection under this proposal.

Achievement of the savings needed to meet the Council's funding deficit under this proposal would not be met as 60% of the existing caseload is passported.

It is also considered that protection for claimants receiving job seekers allowance would not contribute towards the Council's proposals to incentivise work.

In view of the above, this option has not been progressed.

Carers

Under this category, one respondent proposed an extension of the protection for carers who were aged less than 18 and looking after adults resident in the property. Under Council Tax statute, such carers would not be liable for Council Tax being aged less than 18 and consequently would not be eligible for Council Tax Support. The adults being cared for may be eligible for protection if they are within the classes of persons recommended for protection with the Council Tax support scheme or may entitle the Council Tax Payer to a "status" discount or Disabled Persons Reduction subject to meeting qualifying conditions.

The other 3 responses received concerned carers either in receipt of Income Support or living with the person that they care for. In view of the responses received concerning protection for carers both from individuals and other organisation comments set out above, it is proposed that protection from the 20% minimum contribution be provided to the claimant or their partner where they receive carers allowance on the basis that such persons have a limited capacity to increase their income and earning potential as they are providing care for 35 hours per week and predominantly to disabled persons and that the cost of the protection as set out in the main report to the Executive can be met without significant changes having to be made elsewhere within the scheme or by the need to find alternative sources of funding.

People not working

This proposal from one respondent could potentially apply to a large proportion of the existing caseload and would not therefore achieve the financial savings required from within the scheme to meet the anticipated funding gap. Additionally, provisions to be established for someone not working may need to be determined and would be administratively complex to operate and enforce. This proposal has not therefore been progressed further.

Vulnerable persons

There were 5 proposals concerning protection for this group. The Council has set out within its proposed scheme its definition of vulnerable persons proposed for protection. Consideration to other potentially “vulnerable” groups has also been considered as part of the scheme design with reference to consultation responses, considerations issued by the DCLG in its Policy Statement of Intent and as set out elsewhere within this report and the main report to the Executive. The definition for vulnerable persons entitled to protection has been extended following the consultation undertaken and is now proposed to include recipients of carers allowance and recipients of guaranteed income payments under the Armed Forces Compensation Scheme.

Disabled

There were 12 respondents that suggested protection for disabled persons. The recommended scheme already provides protection for disabled persons.

Terminally ill

There were 2 respondents proposing protection for such persons. The recommended scheme provides protection for terminally ill claimants in receipt of Disability Living Allowance / Personal Independence Payments. A person with a terminal illness will be fast tracked on to a guaranteed payment of the enhanced rate of the Daily Living component of Personal Independence Payment without having to satisfy the qualifying period or the prospective test.

They will also be able to apply for the Mobility component and receive that immediately if they qualify. Consequently, protection from the 20%

contribution towards Council Tax will be applicable at an earlier stage in such cases.

Additionally, entitlement to a disability premium and hence protection from payment of the minimum 20% contribution applies where a claimant is incapable of work and has been for 28 weeks if they are terminally ill. This route helps people to qualify for a disability premium where they are incapable of work but do not get incapacity benefit.

It may also be possible for such claimants to seek financial assistance under new Social Fund arrangements that will be transferring from the DWP to the Council from 1st April 2013.

Persons of pensionable age

There were 15 respondents that proposed protection for this group. The recommended scheme already provides protection for persons of pensionable age.

Persons resettled from a hostel

There was one respondent that proposed protection for this group. Protection for persons resettled from a hostel for a specific period has been considered but it is currently understood that this may not be achievable within the proposed software functionality. Additionally, unlike other groups indicated for protection under the proposed scheme, such persons may not be constrained in terms of their income or earnings potential and therefore protection has not been progressed. However, the Council proposes to extend the minimum number of monthly instalments for Council Tax Payers from 10 to 12 in line with proposed statute change and will work closely with Housing Associations, the Council's Housing Department and Brent Housing Partnership to ensure that an application for Council Tax Support is promptly submitted in such circumstances. Payment arrangements may be applicable in certain circumstances and the anti-poverty strategy and recovery policy will be reviewed in consultation with key stakeholders to ensure that they incorporate required changes in preparation for implementation of the scheme agreed.

Persons on a low income (including on minimum wage)

There were 7 respondents that proposed protection for this group. The proposed Council Tax Support scheme already provides support to persons on a low income with those on the lowest incomes being entitled to the most support. Protection from the requirement to pay the minimum contribution of 20% is to be given for vulnerable persons including disabled persons, carers and war widows and widowers. Persons of pensionable age shall receive 100% Benefit entitlement where they are in receipt of pension credit guarantee credit.

As income increases above basic living needs, the amount of entitlement to support shall be withdrawn at a rate of 30 pence in the pound thus preserving this characteristic.

Additionally, no non dependent deduction shall be applicable for example where a non dependent receives Income Support.

This proposed option would require the definition of a low income to be determined and the provisions to be applied in such cases. It is considered that such a system would be complex to establish and difficult to maintain particularly in the changing environment and economic circumstances. As a consequence, this option has not been progressed.

Medical grounds (inc. Employment Support Allowance Care Component)

There were 5 respondents that proposed protection for this group. The proposed scheme already provides protection for claimants where they are in receipt of Employment Support Allowance with the care component by virtue of their entitlement to a disability premium that is one of the protected groups.

Additionally, where a claimant is long term sick, they may qualify for a disability premium if they are incapable of work for 28 weeks if they are terminally ill and 52 weeks in any other case. In such circumstances, they would also be protected from the requirement to pay the minimum 20% Council Tax contribution. Receipt of Employment Support Allowance (Income Related) is also disregarded as an income in assessing entitlement to CTS.

Severe learning disorders

There were 3 respondents that proposed protection for this group. The proposed scheme already provides protection for claimants in receipt of Disability Living Allowance and Employment Support Allowance (Care Component). Additionally, existing Council Tax statute provides an exemption for a Council Tax Payer that meets the qualifying criteria for “severely mental impairment” where they are the sole adult resident. Additionally, such persons are not jointly and severally liable where they would normally be treated as having a joint liability with other residents. Accordingly, in such circumstances, they would not have any Council Tax liability and hence entitlement to CTS would not be applicable.

Other Social Issues (e.g. debt)

There was 1 respondent that proposed protection for this group. This option would be complex to administer as potentially the “social issue” would need to be identified and evaluated and may be difficult to determine. Additionally, it is currently understood that the proposed software functionality may be unable to support the provision of protection for this group. However, the Council has an anti-poverty strategy and will review this and the recovery policy applied to enforcing Council Tax payments in consultation with key stakeholders to ensure that these are consistent and compliant with equality requirements. The provision of 12 monthly instalments for Council Tax collection increasing from the existing 10 will also assist those Council Tax Payers that take up that option. The Council will also be reviewing its anti-poverty strategy and recovery policy in consultation with key stakeholders to determine the approach to be applied in such cases.

Persons recently unemployed

There was 1 respondent that proposed protection for this group. This option would be complex to administer as potentially the reasons for unemployment and the duration of “recent” would need to be determined to assist in the evaluation of entitlement and the provisions to underpin this are anticipated to be administratively complex to apply and enforce. Protection for this group may also be inconsistent with the scheme aim of incentivising work.

Joint Tenants (where the other tenant does not contribute)

There was 1 respondent that proposed protection for this group. The proposed scheme does not provide protection for joint tenants where the other tenant does not contribute. Existing Council Tax statutory provisions address joint and several liability requirements and this matter is considered to be a civil matter for the respective tenants to resolve between them.

Council Tax statute provides that joint tenants are generally jointly and severally liable to pay Council Tax and the fact that one of the tenants does not pay, does not prevent the Council from enforcing payment against either or both the tenants concerned.

It is also worth noting that the existence of this issue would arise irrespective of the Council Tax Support scheme. It is therefore not proposed that this option be progressed further.

In receipt of Benefits

There were 4 respondents that proposed protection for this group. Without a precise definition of what specific Benefits should be considered for a claimant to be eligible for protection, such a definition would be administratively difficult and potentially costly to operate. The proposed scheme does however provide that certain Benefits received and to be used in the calculations for assessing entitlement will be disregarded in full including for example Income Support and Employment Support Allowance (Income Related) thus ensuring greater entitlement to Support in such cases.

Additionally, non dependent deductions will not be made where the non dependent is in receipt of Income Support for example.

Looking for work

There were 2 respondents that proposed protection for this group. This option would be administratively difficult to administer as the definition of “looking for work” would be difficult to determine and evaluate compliance and thus enforce. This option has therefore not been progressed further.

No savings

There was 1 respondent that proposed protection for this group. The recommended scheme does not provide protection for persons with no savings although there is a cut-off limit of £6,000 above which persons will not be entitled to Council Tax Support. Protection for claimants with no savings is anticipated to be prohibitively expensive due to the volumes of claimants with

no savings, it would be difficult to administer and could have an adverse policy effect with the potential for savings being eroded to gain protection against the 20% minimum contribution and thus requiring an intention in reducing the savings to be established in such cases to prevent abuse of the policy. As such, this option will not be progressed further.

Working class people should pay

There was 1 respondent that proposed protection for this group. It is not intended to progress this request further as the definition of a working class person is subjective and could not be identified using the proposed software functionality. If the respondents comment is intended to refer to claimants that are working, this proposal would also be difficult to administer and may not be achievable within the proposed CTS software functionality. The Council's proposed scheme addresses this requirement by incentivising work through increased earnings disregards. The taper of 30% for higher earners reduces potential entitlement to support and ensures that persons on lower incomes potentially receive a greater entitlement.

Football fans

There was 1 respondent that proposed protection for this group. It is not intended to progress this option further as the definition of a football fan is subjective and may not be identified using the proposed software functionality. Additionally, protection for this group would not support the CLG's suggested groups for consideration as set out in their Policy Statement of Intent.

Young adults aged 16 to 30 in full time education or learning and living with parents

There was 1 respondent that proposed protection for this group. Young adults aged under 18 are exempt from Council Tax liability. If they are aged 18 to 30 and living with their parents, it is likely in many cases that their parents will be the Council Tax Payers for the home. Where the liable person for Council Tax is a student and they live on their own, they will normally be exempt under Class M or N of the Council Tax exemptions. Students will be eligible to apply for Council Tax Support in certain circumstances where they meet qualifying criteria such as in the case of single parents or couples where they are both students with responsibility for a child or young person. Additionally, where students qualify for a disability premium, they will be treated as eligible for protection from the requirement to make a minimum 20% Council Tax contribution. It is not therefore proposed to progress this option further.

Persons attending courses for education to improve employment prospects

There were 2 respondents that proposed protection for this group. Persons attending full time courses of further and higher education that are liable to pay Council Tax may be exempt from Council Tax liability under the Class M and N Council Tax exemptions. Students will be eligible to apply for Council Tax Support in certain circumstances where they meet qualifying criteria such as in the case of single parents or couples where they are both students with responsibility for a child or young person. Additionally, where students qualify for a disability premium, they will be protected from the requirement to make a

minimum 20% Council Tax contribution. It would be administratively difficult to link attendance on a course of education with an intention to improve employment prospects as this could potentially apply to all courses undertaken. It is not therefore intended to progress this option further.

Young Adults

There was 1 respondent that proposed protection for this group. No definition of what constitutes a young adult has been provided and some young adults may possess significantly more capital or income than others. Consequently, protection for this group would be administratively complex and therefore this option has not been progressed further.

Single Parents

There were 19 respondents that proposed protection for single parents.

There was within the 19 responses, a distinction made in some cases between single parents working and those not working and also the ages of the children.

In all such cases, it is currently understood that the proposed CTS software may not permit the protection of single parents although the financial implications of providing protection are set out below.

Working

It has been identified that 2,803 existing Council Tax Benefit recipients could potentially benefit from protection if the software were to permit it.

If a Band C Council Tax of £1213.92 per annum were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent a gross increase in expenditure of approximately £510,392 that would need to be found from other sources.

If a Band D Council Tax of £1365.66 per annum were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent a gross increase in expenditure of approximately £574,191 that would need to be found from other sources.

Not Working

It has been identified 5633 existing Council Tax Benefit recipients could potentially benefit from protection if the software were to permit it.

Although it is not possible to identify the precise financial effects of protection for this group, applying a Band C and Band D Council Tax amount to the number of claims potentially affected indicates the following:

Band C

There are 4739 claims where no other adult resides with the claimant and therefore 20% protection for this group would represent a reduction of £862,915 after the application of a single person discount.

There are 894 claims where there is another adult residing with the claimant other than their partner and therefore 20% protection for this group will represent a reduction of £217,048.

Total financial implication of protection for Band C = £1,079,963.

Band D

There are 4739 claims where no other adult resides with the claimant and therefore 20% protection for this group would represent a reduction of £970,779 after the application of a single person discount

There are 894 claims where there is another adult residing with the claimant other than their partner and therefore 20% protection for this group will represent a reduction of £244,180.

Total financial implication of protection for Band C = £1,214,959.

The additional cost of providing protection for this group would need to be found either elsewhere within the scheme or from alternative sources and would represent a significant cost reduction to be found. It is also possible that the application of protection for this group could potentially lead to an adverse policy effect resulting in more cases of single parents in order to benefit from the effects of the protection and single person discount. It has not therefore been progressed further.

Families

There were 11 respondents that proposed protection for families distinguishing in some cases between the ages of the children or whether the parents were in receipt of Income Support.

In all instances, it is currently understood that the proposed CTS software may not permit the protection of families with children irrespective of their age. However, the financial implications of each have been determined to consider whether they could be financially viable.

Aged 3 and under

It has been identified that 4,446 Council Tax Benefit recipients (not already identified for protection under the recommended scheme for CTS) could potentially qualify for protection if the software were to permit it for families with children aged 3 and under.

If a Band C Council Tax of £1213.92 per annum were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £1,079,418 that would need to be found from other sources.

If a Band D Council Tax of £1365.66 pa were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £1,214,344 that would need to be found from other sources.

Aged 5 and under

It has been identified that 6,486 Council Tax Benefit recipients (not already identified for protection under the recommended scheme for CTS) could potentially qualify for protection if the software were to permit it for families with children aged 5 and under.

If a Band C Council Tax of £1213.92 per annum were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £1,574,697 that would need to be found from other sources.

If a Band D Council Tax of £1365.66 pa were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £1,771,534 that would need to be found from other sources.

Aged 12 and under

It has been identified that 10,729 Council Tax Benefit recipients (not already identified for protection under the recommended scheme for CTS) could potentially qualify for protection if the software were to permit it for families with children aged 12 and under.

If a Band C Council Tax of £1213.92 per annum were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £2,604,829 that would need to be found from other sources.

If a Band D Council Tax of £1365.66 pa were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £2,930,433 that would need to be found from other sources.

Aged 16 and under

It has been identified that 12,233 Council Tax Benefit recipients (not already identified for protection under the recommended scheme for CTS) could potentially qualify for protection if the software were to permit it for families with children aged 16 and under.

If a Band C Council Tax of £1213.92 per annum were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £2,969,976 that would need to be found from other sources.

If a Band D Council Tax of £1365.66 pa were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £3,341,223 that would need to be found from other sources.

Aged 19 and under

It has been identified that 12,886 Council Tax Benefit recipients (not already identified for protection under the recommended scheme for CTS) could potentially qualify for protection if the software were to permit it for families with children aged 19 and under.

If a Band C Council Tax of £1213.92 per annum were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £3,128,515 that would need to be found from other sources.

If a Band D Council Tax of £1365.66 pa were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £3,519,579 that would need to be found from other sources.

In receipt of Income Support

It has been identified that 3,767 Council Tax Benefit recipients (not already identified for protection under the recommended scheme for CTS) could potentially qualify for protection if the software were to permit it for families in receipt of Income Support with children.

Income Support may be used as a means for protecting cases from the minimum 20% contribution but it is currently understood that this may only be applied to all Income Support Cases or none at all within the proposed software functionality. If all of the Income Support cases were to be protected from the effects of paying the minimum 20% contribution, the funding deficit would be increased by a potential gross amount of £1,113,906 and net £891,124 that may need to be found either by reducing the amount of protection for other groups, increasing the minimum contribution payable under the scheme or funding the protection from other sources.

In view of the financial implications as set out above, the protection would be financially unviable unless significant changes were to be made to the scheme elsewhere or other sources of funding were to be identified. In view of the above, this option has not been progressed further.

None / Not applicable

There were 9 respondents in this group. No response is necessary for this option as the respondents had no further comments to add to the Council's draft proposals.

Do not agree with proposals

There were 2 respondents that gave this response. No response is given below to this proposal as the respondents did not give any further comments to support their answer to this question.

Fair principles

There was 1 respondent for this group. No response is necessary for this option as the respondent agreed that the draft proposals were fair.

Everyone should pay

There were 2 respondents for this group. No response is necessary for this option as the respondents merely confirmed what was proposed within the draft scheme by the Council in terms of a minimum 20% contribution unless protected.

Forgot page

There were 2 respondents for this group. No response is necessary for this option as the respondents made no further comments to add to the Council's draft proposals.

Other

There were 10 responses where the respondent expressly indicated that they had no further comments to make.

Please add any additional comments to support your responses to questions 1 and 2 on our proposed changes or any alternative options you would like us to consider and your reasons.

The free text responses to this consultation question are set out below together with a commentary where appropriate. In some cases, the response may be summarised rather than repeated in full.

Jobseekers Allowance is insufficient to pay all the bills now. Whilst £6,000 is too low a threshold, this should be £20,000.

Council Commentary

Alternative options of ensuring that scheme expenditure is within revised funding levels have been explored and are set out within the main report. Reducing the minimum contribution has been explored with a 10% level of contribution applied and no protection for any groups but this would not be sufficient to achieve the level of expenditure reduction required due to other

factors including the effects of growth in caseload since 2010/11 and potential changes in Council Tax levels.

Increasing the capital cut off limit would have the effect of increasing potential eligibility to entitlement and hence expenditure at a time when the funds available for financing the scheme are reducing. It would also have the potential effect of diverting scarce resources (i.e. funds) away from those most in need by providing a situation where someone with significant savings could receive support thus reducing the amount of finance still available to provide support for others.

The cost of providing protection to persons in receipt of Job Seekers Allowance would be an additional £0.6M that would need to be found either from elsewhere within the scheme or from alternative sources of funding. This option has therefore not been progressed.

Most vulnerable in society otherwise alienation = breach of H. Rights.

Council Commentary

The proposed Council Tax Support Scheme provides protection for the most vulnerable including persons of pensionable age, persons in receipt of a war pension or war disablement pension and qualifying disabled persons. As a consequence of the consultation it is also proposed to extend the protection to include carers that are in receipt of a carer's allowance.

Any proposals must be proposals that are not just workable but enforceable too. All evasion of taxes should be pursued. Anyone who claims advice and assistance from a Council service, the adults should automatically be added to the address they use for Council Tax purposes.

Council Commentary

The proposed Council Tax Support Scheme has been designed to be workable and enforceable. The Council will continue to investigate and prosecute cases where appropriate if Fraud is identified. Adults living in a property are added to an address if it would be compliant with Data Protection provisions.

People are going to be on the crisis line as you will be increasing the Council Tax

Council Commentary

The proposed Council Tax Support Scheme will provide support for those most in need within the financial resources available and with protection for

certain groups of claimants. Certain incomes and capital types specified within the scheme will be disregarded either in full or in part such that it will not affect entitlement and an additional £10 per week in earnings will be permitted to be received without it affecting entitlement to support. Council Tax Payers will be able to elect to pay by 12 monthly instalments from April 2013 and payment arrangements will be available in certain circumstances. The Council's Anti-Poverty Strategy and Recovery Policy will be reviewed in consultation with key stakeholders to take account of the proposed changes and ensure that the approach taken to collection represents local need.

People in receipt of means tested benefits must be individually assessed. This means that those most in need should not pay anything like now with Council Tax Benefit.

Council Commentary

The reduced funding available from central government in the form of a 90% fixed grant based upon 2010/11 expenditure means that the existing national scheme provisions need to be reviewed the purposes of the Council Tax Support Scheme. The protection of certain groups of claimants from the requirement to pay a minimum 20% contribution towards Council Tax means that other claimants will have to pay more as a consequence. Alternative options concerning protection have been outlined within this report.

I do realise that the budget is less as the local authority has now taken control and it is not government funded. The most well off should be able to subsidize the less well off residents.

Council Commentary

The proposed Council Tax Support Scheme is intended to ensure that those who have a genuine need receive support and that those who receive a higher income receive less entitlement through the effects of the taper. Protection from the minimum 20% contribution towards Council Tax is given to disabled persons and persons of pensionable age for example where qualifying criteria are met.

In question 1, it was difficult to put in order of importance, as I feel all points are equally important.

Council Commentary

Respondents were asked to rank each of the Council's principles in order of importance. This was to ensure that a consistent approach was adopted and to enable the analysis and evaluation of the results to be more easily determined.

We should not be paying any benefits which total exceeds average earnings, irrespective of how many children are in the family.

Council Commentary

This comment has not been progressed as it would be administratively complex to implement and maintain. Proposed software functionality is currently understood to be unable to apply a single average earnings figure above which entitlement would cease. Additionally, an average earnings figure would be difficult to determine as it would need to potentially have regard to national, local or even ward figures as well as the type of industry, days of work, etc.

Single mothers with a child should not automatically be given a flat.

Council Commentary

As this response does not appear to relate to the proposed Council Tax Support Scheme, no comment has been made.

People claiming Council Tax Benefit do so because they cannot afford to pay the whole amount. They are already on low income. A contribution requirement from them will only cut into their already low incomes.

Council Commentary

The Council will have a reduced amount of funding provided from April 2013 in the form of a fixed grant based upon 90% of the Council Tax Benefit expenditure incurred for 2010/11. In order to provide support to those who most need it within the smaller financial resource available, it has been necessary to review the provisions that are applied to determining entitlement. The Council proposes to provide partial mitigation against the minimum contribution by way of making changes to Council Tax discounts and exemptions. Additionally, 12 monthly instalments will be available to Council Tax Payers from next year rather than the existing 10 and payment arrangements will be available in certain circumstances.

Also, those that are renting will find that landlords may have to lower rents if they want to keep their tenants. This is a push to lower rental areas. This is not good for a diverse population (lower rents would be required as tenants can't pay CTS from their income & rent).

Council Commentary

The reduction in rental levels that has been suggested in this response may assist in the availability of affordable accommodation within the Borough

generally. However, it is uncertain as to whether the introduction of the proposed Council Tax Support Scheme would have the effect of reducing rents within the Borough as other economic and environmental factors are considered more likely to have this impact including for example other proposed welfare reforms.

Working families with children under 16 should be protected, to keep families together and encourage families to work

Council Commentary

The cost of protecting families with children under 16 would potentially affect 12,233 Council Tax Benefit recipients (not already identified for protection under the recommended scheme for CTS).

If a Band C Council Tax of £1213.92 per annum were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £2,969,976 that would need to be found from other sources.

If a Band D Council Tax of £1365.66 pa were to be applied, protection from the effects of the 20% minimum Council Tax contribution for this group would represent an increase in gross expenditure of approximately £3,341,223 that would need to be found from other sources.

The cost of protection for this group would require an equivalent amount of financial savings to be identified from other claims within the scheme and would be in addition to any other protection for groups that may be considered eligible.

As it is currently understood that the proposed software functionality may be unable to provide protection for families with children and the costs of the protection would be significant and require changes either elsewhere within the scheme or from alternative sources of funding, it is not proposed to progress this option further.

Adult sons and daughters do not have the money to pay towards the household bill. Unfair to ask the adult children to pay the money, they may participate in events that are not good for the community e.g. crime

Council Commentary

The level of deduction and the circumstances in which it is applied are based upon whether the non dependent adult resident in the claimant's home is in work and their level of earnings and if not, the type of unearned income received. No deduction is proposed for example where the non dependent is in receipt of Income Support or the claimant is receiving Disability Living Allowance.

Provide more job opportunities

Council Commentary

The Council aims to facilitate economic development and hence job opportunities through the services it provides and the policies it implements. However, this is also dependent upon national and economic circumstances. The provision of job opportunities is outside of the scope of the Council Tax Support Scheme that aims to provide support to persons in genuine need and is required to contain the matters set out in regulations.

Reduce the 20% to 5% contribution.

Council Commentary

A 5% contribution would not enable the funding gap to be bridged and therefore this proposal has not been progressed further.

Everyone should pay 10% rather than the 20% proposed which is more affordable.

Council Commentary

A 10% contribution has been modelled but this would not enable the funding gap to be bridged and therefore this proposal has not been progressed.

Q1 = Only those who have enough earning should pay the 20%,

Q2 = The most vulnerable should be protected

Council Commentary

The Council proposes to provide protection for vulnerable persons including disabled persons, carers and persons receiving war pensions. Persons of pensionable age will also be protected from the requirement to pay 20%. Other claimants will be required to pay the minimum 20% under the proposed scheme but will be able to elect to pay their monthly instalments over 12 months rather than 10 next year and payment arrangements may be available in certain circumstances. The Council's anti poverty strategy and recovery policy will be reviewed in consultation with key stakeholders in preparation for the implementation of the agreed scheme and will set out the manner in which persons experiencing payment difficulties may be supported.

I feel that people on Jobseekers Allowance should not be penalised through these proposed changes. People who live in big properties should contribute more as they can afford to purchase those form of

homes and people on low-income should be helped with housing benefits & council tax to encourage them to stay in work.

Council commentary

Providing protection for persons in receipt of Job Seekers Allowance may not be consistent with incentivising work as it could have an adverse policy effect if all such persons were protected from the proposed requirement to make a minimum 20% contribution. Additionally, job seekers allowance (income based) will become part of Universal Credit in the future and would therefore need to be considered separately to the contribution based form of the same income. The cost involved in protecting cases of Universal Credit in the future and job seekers allowance currently would require significant savings to be found elsewhere within the scheme or from alternative sources and has therefore not been progressed further.

I found having to rank the principles 1 to 6 in q1 a difficult matter. Principles 1 and 4 - everyone should pay something and everyone in the household should contribute I found difficult to separate in my mind. They seem to me to mean that regardless of age and disability everyone must contribute. I do not think this is possible. Therefore my overriding belief that the scheme should incentivise work but protect the vulnerable has got ranking 1 and 2.

Council Commentary

The comment made appears to explain why the respondent answered question 1 in the way that they did. The Council Tax Support Scheme proposes a minimum 20% contribution towards Council Tax by all claimants unless they are of pensionable age or otherwise protected such as if they, or a dependant in their household is in receipt of disability living allowance for example. The principle that everyone in the household should contribute relates to the situation where other adults are resident in the claimant's home and a deduction is then made from the claimant's support entitlement on the basis that those other adults contribute towards the household bills including Council Tax. It does not mean that everyone should pay their own Council Tax.

More Council properties with cheaper Housing Benefit and Council Tax Benefit

Council Commentary

This comment does not appear to relate to the proposed Council Tax Support Scheme as it proposes more Council properties and cheaper Housing Benefit and Council Tax Benefit.

More Council properties and help those in rented accommodations

Council Commentary

The reference to more Council properties does not appear to relate to the proposed Council Tax Support Scheme. Where a Council Tax Payer resides in rented accommodation, they may apply for Council Tax Support that will be determined in accordance with the Council's local scheme.

Consider the impact of single room rents for under 35 year olds on the proposals

Council Commentary

The single room rent for under 35 year old claimants is a central government decision that does not relate to the proposed Council Tax Support Scheme.

Reduce the saving cut-off amount.

Council Commentary

The proposed Council Tax Support Scheme already has a reduced savings cut-off amount as this has been lowered from £16,000 in the existing Council Tax Benefit scheme to £6,000.

Part-time workers should not pay the full amount for Council Tax.

Council Commentary

The proposed Council Tax Support Scheme aims to ensure that those in receipt of a low income (including part time work) receive support if they meet the qualifying criteria. Where a part time worker is in receipt of a higher income, their entitlement to support may be reduced through the effects of the taper. Part time workers may be protected from the requirement to make the minimum 20% Council Tax contribution if they meet the protected groups qualifying criteria. Part time workers will also be able to retain an additional £10 per week from their earnings without it affecting their entitlement under the proposed scheme.

The options you have given are sufficient

Council Commentary

There is no further comment to make on this.

Do not adopt a 20% contribution but instead adopt a 10% contribution

Council Commentary

The financial effects of a 10% contribution would be insufficient to achieve the level of savings required to meet the finding gap. This proposal has been modelled from a financial perspective as a similar proposal was submitted by another respondent and is separately referenced within the report.

Return the £16k threshold for savings and investments and do not reduce this to £6k

Council Commentary

Where comments have been received concerning this proposal, they have generally been ambivalent to the change as many claimants do not have savings above this level. In order to provide financial resources to those most in need, this proposal has not been progressed further.

Parents with young children need to have savings for emergency so I feel the amount is not sufficient.

Council Commentary

Where comments have been received from the consultation concerning the reduction in capital cut off limit to £6,000, they have generally been ambivalent to the proposed change in capital as many claimants do not have savings above this level. Additionally, it is considered that this level should provide a degree of contingency for potential emergencies. In order to ensure that financial resource is available to those most in need, this proposal has not been progressed further.

2 was entered as the disabled and people with long term illnesses should be protected and their carers

Council Commentary

The proposed Council Tax Support Scheme provides protection for disabled and people with long term illnesses where they meet the qualifying criteria. Carers are also to be included for protection as a consequence of the consultation responses received where they meet the qualifying criteria.

If a household has multiple working age adults surely the decent thing that they should do is all share the responsibility (2 responses)

Council Commentary

The Council proposes to increase existing non dependant deduction rates to ensure that where other adults are living in the claimant's household and they are working, that there is a reduction in support entitlement reflecting the additional income received within the household that may be available to contribute towards household bills.

If pay tax to Council they give helping more for futures

Council Commentary

There is no comment to make on this response.

Benefit amount should be based on the amount that the person contributed previously (Tax, NINO, etc.)

Council Commentary

It is not possible to link the amount that a person has contributed by way of tax and national insurance to the Council Tax Support Scheme as details of those contributions are held by the HMRC and not available to the Council. Additionally, Council Tax Support is not a contribution based benefit. Consequently, this proposal has not been progressed.

No, N/A and None (10 responses)

Council Commentary

There is no response required for these.

Single parents should be considered

Council Commentary

Single persons have been considered for protection under the proposed scheme but it is currently understood that proposed software functionality may prevent this proposal from being achieved. Additionally, the cost of extending protection to single parents has been set out previously and would require either significant change to be made to the scheme elsewhere or alternative sources of funding to be identified. However, single parents will benefit from an earnings disregard of £35 per week compared to that of a couple of £20 and that of a single person of £15. They may also be eligible for weekly child care disregards of up to £175 for one child and £300 for two or more children where the qualifying conditions are met.

Could breach equality duties and fundamental human rights

Council Commentary

The proposed local Council Tax Support Scheme is intended to comply with the Council's statutory obligations.

I believe that all the statements in question 1 are of equal importance and would have scored each with a 1 given the choice.

Council Commentary

The consultation questionnaire proposed a ranking system for question 1 to ensure consistency and facilitate ease of analysis and evaluation of responses.

Nobody is supporting people coming back from war (2 responses)

Council Commentary

The proposed Council Tax Support Scheme provides protection for working age claimants where they or a dependent in their household is in receipt of a war widows or war widower's pension or war disablement pension for injuries or disablement incurred before 6th April 2005. For post 6th April 2005 injuries or disablement, the armed forces compensation scheme may be applicable. The proposed scheme has therefore been extended to apply the latter provision for protection purposes.

I think EVERYONE should pay regardless of circumstance.

Council Commentary

The proposed Council Tax Support Scheme will be subject to reduced funding from April 2013 as a 90% fixed grant will be provided by the Government based on 2010/11 Council Tax Benefit expenditure. The proposed Council Tax Support Scheme incorporating the minimum 20% contribution from Benefit claimants (unless protected) has been determined to meet the anticipated funding gap. The level of contribution has been partially mitigated through proposed changes to Council Tax discounts and exemptions.

I do not think people who work hard in order to NOT be a burden on the state should be penalised with a higher Council Tax

Council Commentary

The proposed Council Tax Support Scheme will be subject to reduced funding from April 2013 as a 90% fixed grant will be provided by the Government based on 2010/11 Council Tax Benefit expenditure. The proposed Council Tax Support Scheme incorporating the minimum contribution has been

determined to meet the anticipated funding gap. The level of contribution has been partially mitigated through proposed changes to Council Tax discounts and exemptions.

Only pay housing benefit to one person per household, ignore any adults they live with, and to no-one under the age of 25 whether they have children or not (unless from abusive background or care home)

Council Commentary

This comment appears to relate to Housing Benefit although it has been presumed for this response that it was intended to relate to Council Tax Support. Council Tax Support will only be awarded to the Council Tax Payer or Payers not other adults resident in their home. Providing support only to those aged 25 and over would mean persons aged 18 to 24 inclusive were potentially adversely affected by the proposed scheme and as such, this may breach the Council's Public Sector Equality obligations. This option has therefore not been progressed.

As I have said above being a single working parent is hard enough and calculations on how much more tenants pay towards council tax should be carefully looked at and put into sections on affording it. For example I find it hard enough working the 16 hours paying towards my rent and council tax and don't feel I could afford to pay anymore and support children. People who are working, standards should stay the same charging those who do not work a small fee is a good start to making them realise working you are better off as this was advice I was giving helped back to work and that incentive is working.

Council Commentary

The proposed Council Tax Support Scheme provides that single parents in work shall be able to retain an additional £10 per week from their earnings without it affecting their entitlement. Additionally, a deduction from Council Tax Support entitlement may be made where another adult resident is living in a claimant's household. Claimants may be eligible for protection from the requirement to make the minimum 20% contribution if they meet the qualifying criteria for disablement, are in receipt of a carers allowance or are in receipt of a war widows or war disablement pension. Charging persons that are not working would be administratively complex and costly to enforce and has therefore not been progressed.

You should not change the previous scheme

Council commentary

The existing Council Tax Benefit scheme is to cease with effect from 31st March 2013. In its place, a Local Authority has to establish a local Council Tax Support Scheme. If this is not determined by the Council by 31st January 2013, the Government will impose a default scheme on the Council. Whilst the default scheme incorporates many of the existing Council tax Benefit features, it will not address the funding gap anticipated as a result of the changing financial arrangements. The Council therefore proposes to change the existing scheme to ensure that it can be financed within available financial resources and can provide support to those persons in genuine need.

With the proposed changes coming into effect at the beginning of the next financial year it seems the perfect time to address the issue of some residents not contributing a fair amount to the council tax.

Council commentary

The proposed Council Tax Support Scheme is intended to balance the need to provide support to those who genuinely need it within the context of a reduced amount of funding available for the provision of support.

Please protect people in joint tenancies that are powerless to force flatmates to contribute and therefore made to cover these payments

Council Commentary

The proposed scheme provides for Council Tax Support to be calculated on the share of the joint tenant's Council Tax liability. Where joint tenants live in a home, they are generally jointly and severally liable for payment of the remaining Council Tax balance irrespective of whether they receive benefit for their share of the Council Tax. This is a feature of the Council Tax statutory provisions and not one that is a consequence of the Council Tax Support scheme.

Getting the rich to pay more, and to cut services, ie, magazine, multilingual literature, etc.

Council Commentary

The proposed Council Tax Support Scheme is intended to target support to those who need it most. To this extent, it is proposed that the savings cut-off limit for the scheme will be £6,000 rather than the £16,000 that exists within the current Council Tax Benefit scheme. Additionally, the amount of entitlement to support is intended to be greater for those in receipt of lower

incomes. The reference to services is a matter for the Council to determine having regard to its spending priorities and anticipated income for the year.

I have always believed every one should be paying something, apart from pensioners but at different rates. It should be based on what you earn or get in benefits. I strongly believe if you, your partner or dependant has a disability you should still contribute to Council Tax even if it is at a different rate, such as £2 a week.

Council Commentary

The proposed Council Tax Support Scheme provides protection for disabled persons from the requirement to make the minimum 20% contribution towards Council Tax. It does not mean in all cases that they will not pay Council Tax although in general they will be eligible for a greater amount of support where they meet the qualifying conditions. The Council has proposed protection for disabled persons having given due consideration to its obligations under the Public Sector Equality Duty and other statutory provisions.

Some people who get pension credit only get £217, so obviously they can not afford this scheme.

Council Commentary

As persons of pensionable age are protected from the effects of the changes through a set of national rules and regulations, the Council has no powers to vary this aspect of the local Council Tax Support Scheme.

An alternative option would be to lobby against the Government's cessation of national funding for CTS.

Council Commentary

The Council submitted a response to the Government consultation relating to the scheme and London Councils are separately lobbying the Government in relation to certain aspects of the scheme.

Majority of your working life you pay all your taxes honourably and need support the most when you are on verge of retirement and are sick. Before the benefit system kicks in after appeals one would have exhausted life savings to compensate loss of earnings

Council Commentary

The proposed scheme is intended to provide support to those in genuine need. Where a person has capital in excess of the proposed £6,000 capital

cut off limit, it is proposed that support should not be given to them to enable it to be provided to those in most need.

Protection from violation of their human rights and discrimination

Council Commentary

The proposed Council Tax Support Scheme is intended to comply with the Council's statutory obligations.

"Principle 1: For those living in properties attracting the highest rate of council tax, this would leave claimants liable for £45.52 a month, approximately £10 a week. This is a significant sum for those in receipt of benefits. We believe that the amount of council tax that an individual is liable for should be calculated on the basis of affordability. Given this, we recommend that claimants should be asked to contribute 10% of their standard allowance under Universal Credit, unless this is greater than 20% of council tax – in which case the lower figure should be used. This would ensure that any liabilities for council tax are affordable for individual claimants whilst still enabling the council to reduce spend on the Council Tax scheme. Furthermore, we believe that claimants who have recently left supported housing should receive full Council Tax Benefit for a period of 12 months. These claimants will be undergoing a likely stressful period as they experience independent living for what may be the first time, getting used to paying their own bills and learning to budget for their household expenses. Giving these claimants a 12 month 'grace period' would support them during this stressful period of time, enabling them to get used to their new situation before being asked to contribute towards their council tax.

Council Commentary

It is currently understood that the proposed software functionality may not be able to provide protection concerning the minimum Council Tax contribution payable applying the principles set out above. Additionally, in the case of the 12 month grace period referred to, this would if the option existed potentially need to be limited to within a single financial year as the Council has a statutory obligation to review its scheme on an annual basis and as such, any changes may then be subject to consultation and if determined by the Council, incorporated in its scheme for the following financial year. It is also considered that persons leaving supported housing would not have the same constraints on their earnings / income that other persons protected from the effects of the 20% minimum contribution may have. This option has therefore not been progressed further.

It is proposed that claimants be able to elect to pay their Council Tax over 12 monthly instalments from April 2013 and that a publicity and communications campaign will be effected to publicise the changes and the impact significantly in advance of annual billing in February 2013. Additionally, we will work closely with stakeholders to ensure that those leaving supported and temporary housing are aware of the scheme and submit an application at the earliest opportunity. It may also be possible for such claimants to apply for assistance under new Social Fund arrangements that will transfer from the DWP to the Council from 1st April 2013.

Principle 2: We believe that those claimants who have been resettled from a hostel should be included in the list of protected groups for a period of 12 months. The transition from a hostel into independent accommodation is an unsettling period with a significant risk of tenancy failure. Giving claimants a grace period to allow them to settle in to their new accommodation and get used to budgeting, before asking them to contribute towards the council tax scheme will give them some stability over this period of transition.

Council Commentary

It is currently understood that it may not be possible to provide protection concerning the minimum Council Tax contribution payable in the case of the 12 month grace period referred to. If the option did exist, it would potentially need to be limited to within a single financial year as the Council has a legal obligation to review its scheme on an annual basis and as such, any changes may then be subject to consultation and if determined by the Council, incorporated in its scheme for the following financial year. Additionally, such a person would not be constrained in terms of their income / earnings capacity to the same degree as other protected persons for example. It is therefore not intended to progress this option further.

It is proposed that claimants be able to elect to pay their Council Tax over 12 monthly instalments from April 2013 and that payment arrangements may also be available in certain circumstances. A publicity and communications campaign will be effected to publicise the changes and the impact significantly in advance of annual billing in February 2013. Additionally, we will work closely with stakeholders to ensure that those leaving supported and temporary housing are aware of the scheme and submit an application at the earliest opportunity.

Principle 3: We are concerned that this principle appears to unhelpfully confuse a benefit which supports individuals to contribute towards the costs of local services, with supporting people into work. However, St

Mungo's welcome the proposal to increase the level of disregard of an individual's earnings before calculating their liability for council tax.

Council Commentary

The proposed Council Tax Support Scheme is intended to incentivise work through the provision of an increased earnings disregard of £10 per week and is in response to the Government's objective of incentivising work as set out in the CLG policy statement of intent.

Principle 4: We disagree with the proposal to double the expected contribution from non-dependents, or to introduce an expected contribution from those in receipt of jobseekers allowance. Many of those who are at risk of homelessness may be staying with friends on family on an informal basis. If their expected contribution to council tax is doubled, or introduced, this will put financial pressure on that relationship and may lead to the non-dependent being asked to leave, thereby putting them at serious risk of homelessness.

Council Commentary

Deductions for non dependents have been retained at zero in a number of instances such as where a non dependant is in receipt of Income Support for example. In other cases, deductions have been doubled reflecting the policy intent of reducing entitlement to support where there are other adults in the household able to contribute towards the household bills such as Council Tax. The deduction for non dependents in receipt of Job Seekers Allowance (Income Based) has been introduced to support the policy intent of incentivising work.

Principle 5: We are concerned about the increase in the taper rate from 20 per cent to 30 per cent for those who have recently entered work. Those entering work after a period of unemployment often find themselves in a financially unstable situation, getting to terms with moving off some benefits and learning to budget. For many, there will also be a significant initial cost with starting work, such as purchasing new work clothes and other items as necessary. As such, to support this transition, we recommend that the 20 per cent taper is kept in place for the first year of employment after a period of unemployment, increasing to 30 per cent after one year.

Council Commentary

It is currently understood that the proposed software functionality may not be able to operate the suggested taper arrangements. Additionally, the option, if it were available, would potentially need to be limited to a single financial year

as the Council has a legal obligation to review its scheme on an annual basis and any changes may then be subject to consultation and incorporated with the Council's scheme determined for the next financial year. There would also be administrative complexities associated with this proposal as it would be necessary for example to determine what constituted employment including the duration and hours of work and whether voluntary work was within the scope of employment. Consideration would also need to be given as to whether voluntary unemployment should qualify towards the reduced taper activation.

The proposed Council Tax Support Scheme provides for the provision of extended payments for certain claims as currently contained within the existing Council Tax Benefit framework. Additionally, 12 monthly instalments will be available to Council Tax Payers from April 2013 if they elect to pay by that method.

Principle 6: We do not have a position on this principle – almost all of our clients will not have any savings, let alone meet the new proposed £6000 threshold"

Council Commentary

There is no comment to make for this response.

No Council Tax for the unemployed. The amount of council tax paid should be based on your income which is a fairer system. If someone who is on 20k a year pays the same as someone on 50k a year that is not fair.

Council Commentary

It would be administratively complex to incorporate within the proposed Council Tax Support Scheme full benefit for the unemployed. Such a policy would potentially need to consider as a minimum a distinction between contribution based Job Seekers Allowance and Income Based Job Seekers Allowance, the migration of Income Based Job Seekers Allowance to Universal Credit from next year, reasons for leaving job, duration in job and duration of support to be provided. It is also likely that such a policy would not achieve the financial objectives of the scheme to bridge the funding gap as a consequence of the changes in funding arrangements. The proposed scheme does however ensure that a claimant in receipt of a higher income receives less entitlement than a claimant in receipt of a lower income through the effects of the proposed taper.

It should go up in scales. Perhaps something similar to how HB is calculated

Council Commentary

It is currently understood that the proposed software may prevent the potential for making changes as set out above and this option would be administratively complex to establish and maintain. It is therefore not intended to progress this option.

Consider possible secondment as a compulsory element for incentivising work.

Council Commentary

The administrative work involved in establishing a scheme that incorporated this proposal and within the timescale required as well as the administrative complexity of maintaining it means that this would not be feasible and has not therefore been progressed further.

Protection from violation of their human rights and discrimination

Council Commentary

The proposed Council Tax Support Scheme is intended to comply with the Council's statutory obligations.

Everyone should pay according to their income and it should not be according to the house one lives in. Also it should not be in joint names but working adults should get their own individual bill.

Council Commentary

The Council Tax is set by the Council and payable by the Council Tax Payer according to the valuation band determined for their home by the Listing Officer at the Valuation Office Agency. This is a statutory requirement that cannot be varied by the Council although a Council Tax Payer may pay a lesser amount for their home if they qualify for a discount or exemption for example or receive Council Tax Support based upon their income and circumstances. The Council Tax Bill may be issued in joint names where there is a joint ownership or tenure for the home or where the Council Tax Payers are a couple. There is no statutory provision for working adults to get their own bill.

Can not think of anything to add

Council Commentary

There is no further comment to this response.

If somebody is incapable of working due to disability the person, their family should be protected because they will not be able to pay for the council tax as they have no means of generating income for themselves and their families.

Council Commentary

This response supports the proposed protection for disabled persons where they meet the qualifying criteria and there is therefore no further comment to make.

Please comment if you feel that our proposed changes will affect particular individuals or groups more than others and if so, how you think we may address these.

Comments received to this question have been set out below together with a commentary where appropriate.

They will leave those on Jobseekers allowance unable to pay other bills

Council Commentary

The provision of support is intended to be directed to those most in need. Vulnerable persons as defined within the proposed scheme are proposed to be protected from the requirement to pay the minimum 20% Council Tax. In other instances, certain incomes such as child benefit for example may be ignored when calculating entitlement to support. There will be an opportunity for Council Tax Payers to elect to pay by 12 monthly instalments next year and payment arrangements may be available in certain circumstances.

Most vulnerable in society otherwise alienation = breach of H. Rights. Deep distrust of the system

Council Commentary

The proposed Council Tax Support Scheme provides protection for the most vulnerable including persons of pensionable age, persons in receipt of a war pension or war disablement pension and qualifying disabled persons. As a consequence of the consultation it is also proposed to extend the protection to include carers that are in receipt of a carer's allowance.

I think child carer households should be looked at carefully. Adults who are on high percentage of state (benefit) help should be asked about their travel plans if longer than 3 weeks.

Council Commentary

It is unclear as to the precise nature of this comment although a claimant or partner who is a carer will be protected within the proposed scheme if they receive carers allowance. Child carers are not eligible to pay Council Tax and therefore will not be eligible for support.

The remainder of the response is unclear in intention and therefore no further comment is submitted.

Comment against Principle 1: NO - THIS IS ""POLL TAX"".

Council Commentary

This comment appears to be made as a misunderstanding to the proposals. The proposed Council Tax Support Scheme provides for non dependent deductions to be made from a claimant's potential entitlement to support where there are other adults resident in their home. This is proposed on the basis that the other adults should contribute towards household bills. It does not propose that each adult should pay their own Council Tax.

Should resemble current systems, comment against proposed changes: no: Council Tax should be based on property as now? (2 responses)

Council Commentary

The Council Tax will continue to be payable by an adult resident based upon the valuation band allocated to their home by the Listing Officer at the Valuation Office Agency as this is a statutory requirement. There is the potential to retain a similar system to that operated for Council Tax Benefit. However, this would not deliver the financial savings needed to meet the anticipated funding gap arising from the changes.

As mentioned those who live on means tested benefits are going to suffer. I have to pay water rates, television licence, gas, electric and little left over will now have to go on council tax.

Council Commentary

The proposed scheme provides protection from the minimum contribution of 20% for vulnerable persons including disabled persons and carers. For other claimants, certain types of income may be disregarded when calculating their entitlement such as child benefit for example. The means test calculation will ensure that those with the least income receive the greatest support.

Council Tax Payers will be able to elect to pay by 12 monthly instalments from next year rather than the 10 available at present and payment arrangements may be available in certain circumstances.

The ant-poverty strategy and recovery policy will be reviewed in consultation with key stakeholders to ensure that the required changes arising from the agreed scheme are incorporated.

The availability of other discretionary funds such as the Social Fund may also be considered in certain circumstances.

Why do the people on income support not need to pay anything?

Council Commentary

This is the current arrangement for Council Tax Benefit. Under the proposed Council Tax Support Scheme, such persons will be required to pay a minimum 20% contribution towards Council Tax unless they are protected.

The Department of Work and Pensions will not increase the benefits to subsidize the claimant.

Council Commentary

It is not possible to comment on policies concerning benefits that are payable outside of the control of the Council.

Parents with children over 18, not working

Council Commentary

It is unclear as to whether this response is suggesting that the occurrence of such instances should provide protection for a claimant from the requirement to make the minimum 20% contribution where they have children aged 18 or over not working.

However, in general terms, where a claimant has a non dependent resident in their home such as a child aged 18 or over, a non dependent deduction may be applicable. However, where the non dependent is in receipt of Income Support or Employment Support Allowance (income related) for example, no deduction will be made. A deduction will also not be applicable where the claimant is in receipt of a disability living allowance

A non dependent deduction will be made under the proposed scheme where the non dependent is in receipt of job seekers allowance (income based) to provide a work incentive.

It is not intended that protection will be applied in such instances as suggested because the existing proposal already incorporates the provision of a nil deduction in circumstances such as those outlined above.

This attitude that we owe them a living has greatly increased in the last 10-15 years amongst people who cannot be bothered to work and look after their own families.

Council Commentary

The Government proposes to provide a set of rules and regulations governing the approach to be taken under local Council Tax Support Schemes.

I am proud of the way we care for people but reducing the benefits we pay out, must encourage people to look for work.

Council Commentary

There is no further comment to make on this response as the proposed scheme seeks to incentivise work through the increased earnings disregard and to target financial support to those most in need.

Those in genuine need will be affected by another cost to their living which CTS is. It is hard to define which group is more in need. If it is means tested, why are pensioners exempt?

Council commentary

As the proposed scheme for persons of pensionable age is subject to national rules and eligibility, it is not possible to vary the scheme for such persons. Consequently, the changes proposed to meet the anticipated funding gap need to be found either from within the scheme itself or from other sources of funding.

The proposed scheme will provide the greatest support to those in receipt of the lowest income through the means test calculation and application of the taper and provide protection for vulnerable persons.

People receiving income support or with children they will be affected so should be taken into account

Council Commentary

Protection for claimants in receipt of Income Support would have the effect of reducing the scheme savings by approximately £1M and protecting those with children would have a similar £1M minimum financial effect that would be variable dependent upon whether protection was conditional upon the child's age.

As such, both of these would require significant changes to be made either elsewhere within the scheme or through the provision of alternative sources of finance.

In terms of the proposed scheme, in the case of claimants with children, an additional premium is to be given for each dependant child that resides with the claimant and both child benefit and guardians allowance are to be disregarded from a claimant's income. Child care expenses of up to £175 per week for one child and £300 per week for two or more children may be given where the claimant or a partner works 16 hours or more per week and qualifying conditions are met.

Lone parents in receipt of Income Support and Job Seekers Allowance will be affected more by these changes and I feel that these people in these groups should be protected.

Council Commentary

Consideration has already been given to protecting single parents in receipt of Income Support and Job Seekers Allowance earlier in this report.

Combination of council tax support and caps for local housing allowance will affect some groups more than others.

Council Commentary

The Benefit caps are being introduced by central government and as such, do not form part of the impact assessment for Council Tax Support.

An Equalities Impact Assessment has been conducted for the proposed scheme and the results of this are included as Appendix D to the main report to the Executive.

It will have big impact on people who are in full benefit and do not work.

low income, single parent, with children under 16, full benefits, people with children under age of 18 - should pay a reduced amount of 10% rather than 20%, people in receipt of income support, people with large families ie 6 children - should be required to pay 10% only not 20%"

Council Commentary

Each of the above has been considered in relation to the scheme within this consultation report and commented upon accordingly with the exception of large families with 6 children paying only 10%. Providing protection for large families would need further consideration to determine what constitutes a large family and the administrative provisions concerning this. The presence

of a large family does not necessarily restrict the earning / income capacity of a claimant and in general, such persons would normally receive a greater household income reflecting the additional living needs of their family. The application of protection for large families could also potentially have a reverse policy effect. It is also currently understood that as proposed software may not provide a feature to protect specific numbers of children, this option may not be administratively easy to implement. Income from child benefit, guardians allowance and fostering allowances are all disregarded as income when calculating support entitlement, additional premiums are given for each dependent child in the claimant's home and child care disregards of up to £175 per week for one child and £300 per week for two or more children may be given where the claimant or their partner works 16 or more hours per week and qualifying conditions are met. This option has therefore not been progressed further.

I think these proposed changes are not well thought and should be prepared with participation of all party to include different fabric of the society.

Council Commentary

A consultation and engagement process has been carried out to obtain the views and comments of residents and other stakeholders concerning the proposed changes.

The proposed changes will affect a lot of people who are suffering through job loses and could not get another job. People on Income Support and Long-Term sickness benefit should be assessed especially people on Income Support, they are the ones who do not want to look for a job. People who claim Disability Benefit should be assessed on the basis of each individual case. Help should be given to people who are genuinely looking for work and on job-seekers allowance until a job is found.

Council Commentary

The proposed Council Tax Support Scheme is intended to provide support for those who genuinely need it with appropriate protection included for disabled persons, persons in receipt of carers allowance and persons of pensionable age. Protection for disabled persons shall be based for example upon receipt of Disability Living Allowance or entitlement to a disability premium. The protection has been considered with due regard to the Council's statutory obligations and with reference to the DCLG Policy Statement of Intent.

Lone parent with children under age of 18 and people on benefits

Council Commentary

It is presumed that this comment is intended to refer to the protection for certain groups and has been commented upon accordingly. It is currently understood that it may not be possible to provide protection for single parents with children under the age of 18 under the proposed software functionality. However, such persons will, where they are in work, be able to retain an extra £10 per week of their earnings without it affecting their entitlement. The provision of protection to single parents will require significant changes to be made to other aspects of the proposed scheme or for alternative sources of funding to be identified. The definition of people on benefits would need to be more specifically defined to determine protection for the second part of the comment as potentially all existing claimants are within the scope of this definition and would therefore be administratively complex to establish and maintain. The proposed scheme ensures that those in receipt of a low income are eligible for a greater entitlement than those in receipt of a higher income through the effects of the taper. The cost of providing protection to single parents would be financially significant as has already been indicated within this report and would require significant savings to be made elsewhere in the scheme or from alternative sources of funding

Single parents with children under the age of five and also parents with children who have a disability

Council Commentary

It is understood that it may not be possible to provide protection for single parents with children under the age of five under the proposed software functionality. However, such persons will where they are in work be able to retain an extra £10 per week of their earnings without it affecting their entitlement. Parents with children that have a disability may be eligible for protection from the requirement to pay the minimum 20% contribution to Council Tax if they meet the qualifying criteria. The cost of providing protection for this group would require significant changes to be made to other aspects of the scheme or alternative sources of funding to be identified.

Disabled and parents with disabled children and lone parents

Council Commentary

The proposed Council Tax Support Scheme provides protection for disabled persons and parents with disabled children where the qualifying conditions are

met. Consideration has also been given to providing protection for single parents. However, it is currently understood that the proposed software functionality may not be able to provide protection for single parents although an additional £10 per week will be disregarded for single parents in work. The cost of protecting single parents has already been identified and commented upon elsewhere within this report.

People with low income and on benefits, people who do not work and disabled people

Council commentary

Disabled persons will be protected within the proposed scheme. Persons in receipt of a low income or on benefits could potentially include the entire Council tax Benefit caseload and would not be feasible in terms of cost. Additionally, there would potentially be significant administrative complexity involved in determining and maintaining the rates for what constituted a low income. Providing protection for people who do not work would be a significant cost that would need to be met either from making substantial changes to other parts of the scheme or by using alternative sources of funding. These options have therefore not been progressed.

However, such persons will be able to elect to pay their Council tax by 12 monthly instalments from next year rather than the 10 available at present and payment arrangements may be available in certain circumstances.

The impact of the proposal on people with low incomes will cause financial hardship, particularly where there are children and during the winter period when household heating bills are higher.

Council Commentary

The Council has made provision within its local scheme for features that will assist claimants with children. These include the disregard of child benefit and guardians allowance as income when performing the means test and additional premiums for each child resident in the claimant's household. Additionally, child care expenses may be disregarded up to a maximum of £175 per week for one child and £300 per week for two or more children where the qualifying conditions are met. Additionally, vulnerable persons will be protected from the requirement to make the minimum 20% Council Tax contribution including for example disabled persons.

There will be an opportunity for Council Tax Payers to pay their monthly instalments over 12 months from next year rather than the 10 available at present and payment arrangements may be available in certain circumstances.

Additionally, the Council's anti-poverty strategy and recovery policy will be reviewed in consultation with key stakeholders and will set out the manner in which payments may be collected where specific circumstances apply.

I think these changes will affect the poor people the most. The Government needs to look into the changes which will affect us.

Council Commentary

The Government has devolved the establishment of a local scheme to each Local Authority. Whilst certain aspects of a scheme such as for persons of pensionable age will be maintained centrally, they must be included within each local scheme. There is no current provision for the government to review individual local authority's schemes as these are a matter for each authority to determine.

The proposals will affect families and they now will have to make payment of which they have previously not had to pay.

Council Commentary

The cost of providing protection for families would require significant changes to be made elsewhere to the scheme or the provision of funding by alternative means as previously outlined within this report.

However, an additional £10 per week compared to the current Council Tax Benefit Scheme will be disregarded from earnings thus enabling single parents and couples to earn £35 and £20 per week respectively without it affecting their entitlement to Council Tax Support. Child Benefit will be disregarded as an income and additional premiums will be given for each dependant child resident in the claimant's home. Child care disregards may also be applied up to a maximum of £175 per week for one child and £300 per week for two or more children where conditions are met.

Additionally, 12 monthly instalments will be available to Council tax Payers for next year rather than the 10 available at present and payment arrangements will be available in certain circumstances.

People on low incomes such as income support, job seekers allowance, incapacity benefit. Protect the above from the effects of the changes

Council Commentary

The Council would be unable to meet the funding gap if protection were provided for people in receipt of Income Support, Job Seekers Allowance and Incapacity Benefit. This option has therefore not been progressed further.

Seems to be a fair balanced change

Council Commentary

No comment is required for the above

Young Adults - Get a year tax free.

Council Commentary

This proposal would require a definition for a young adult to be determined and the provision of a single free tax year may not be achievable within the proposed software functionality and would be administratively complex to establish and maintain. Additionally, as the Council has a legal obligation to review the scheme on an annual basis, such a provision within a scheme may only be applicable within the scope of a financial year.

Disabled People - may not be able to afford it.

Council Commentary

The proposed Council Tax Support Scheme provides protection for persons that are disabled within the qualifying conditions.

Elderly people - vulnerable and on pension

Council Commentary

The proposed Council Tax Support Scheme provides protection for persons that are of pensionable age through a set of national rules and regulations.

The proposals will have a disproportionate impact on low income families and reduced contributions should be sought.

Council Commentary

Consideration has been given to reducing the level of contribution but this would not meet the anticipated funding gap as a consequence of the changes to the funding arrangements. An Equalities Impact Assessment concerning the proposed changes has been carried out and is attached as Appendix D to the main report.

Those receiving working age benefits and those on low incomes appear to be adversely affected by these proposals making them vulnerable.

Council commentary

Persons on a low income and on benefits potentially includes the entire Council tax Benefit caseload and would not be feasible in terms of cost. Additionally, there would potentially be significant administrative complexity involved in determining and maintaining the rates for what constituted a low income. Providing protection for people who do not work would be a significant cost that would need to be met either from making substantial changes to other parts of the scheme or by using alternative sources of funding. These options have therefore not been progressed.

However, protection will exist for disabled persons for example and certain incomes will be disregarded when calculating entitlement to benefit such as child benefit for example. Additionally, 12 monthly instalments will be available for payment of Council tax next year and payment arrangements may be given in certain circumstances.

Those who have young children, especially working parents

Council Commentary

The cost of providing protection for families especially working parents with young children would require significant changes to be made elsewhere to the scheme or the provision of funding by alternative means as previously outlined within this report. Additionally, it is currently understood that protection for this group may not be available within the proposed software functionality.

However, an additional £10 per week compared to the current Council Tax Benefit Scheme will be disregarded from earnings thus enabling single parents and couples to earn £35 and £20 per week respectively without it affecting their entitlement to Council Tax Support. Child Benefit will be disregarded as an income and additional premiums will be given for each dependant child resident in the claimant's home. Child care disregards may also be applied up to a maximum of £175 per week for one child and £300 per week for two or more children where conditions are met.

Additionally, 12 monthly instalments will be available to Council tax Payers for next year rather than the 10 available at present and payment arrangements will be available in certain circumstances.

People who care for one or more disabled people within household would be unfairly treated by making them pay a charge on a low income because they can not work because of being a carer or is still looking after a member of the family in a caring role but have retired and are over 65 years old. These groups should be exempt from charges.

Council Commentary

Where a claimant or a dependant in their household is disabled within the qualifying criteria, they will be protected from the requirement to make the minimum 20% Council Tax contribution. Carers will be included within the protected groups as a consequence of the consultation where they are in receipt of a carers allowance and provide care to another resident in their home. Persons of pensionable age will be protected through a set of national rules and conditions of eligibility.

Q3. I am concerned that single parents and students could be hit disproportionately hard and don't forget that those with an illness or disability will naturally have higher living expenses (2 responses)

Council Commentary

The proposed Council Tax Support Scheme will provide eligibility to claim support for students such as for example a single parent who is a student. Other students may not however be eligible for support.

Where a domestic property is occupied solely by a student, the property will generally be exempt and no Council Tax will be payable. Additionally, a student will not be jointly and severally liable for payment of Council Tax and thus will have no liability for payment of Council Tax where they have a joint ownership or tenancy of the property.

There is protection proposed for claimants where they or a dependant in their household are disabled within the qualifying criteria set out in the scheme and this includes certain instances where a disability premium is awarded because of illness.

I agree to principle 2

Council Commentary

Principle 2 refers to protecting the most vulnerable persons from the requirement to make the minimum 20% Council Tax contribution. No further comment is made regarding this response.

The benefit cap will not affect those who were working until now and can't afford to pay any more.

Council Commentary

The Benefits cap is not a feature of the proposed Council Tax Support Scheme.

However, next year, a Council Tax Payer will be able to elect to pay by 12 monthly instalments rather than the 10 available at present and payment arrangements may be available in certain circumstances to take account of the financial circumstances of a customer.

The anti-poverty strategy and recovery policy will also be reviewed in consultation with key stakeholders to ensure that financial circumstances and other relevant factors are considered when determining the payment requirements for a specific customer.

Consideration may also be given to the use of other potential sources of finance available to the claimant including discretionary funds such as the Social Fund for example.

People with many children and who do not have money for rent and food then become homeless

Council Commentary

As the comment has not been elaborated upon, it is presumed that it relates to protection for single parents and families with a large family. It is currently understood that proposed software functionality may mean that it is not possible to provide protection for this group. Additionally, the cost of protection would require significant changes to be made elsewhere to the scheme or the provision of funding by alternative means. However, an additional £10 per week compared to the current Council Tax Benefit Scheme will be disregarded from earnings thus enabling single parents and couples to earn £35 and £20 per week respectively without it affecting their entitlement to Council Tax Support. Child Benefit will be disregarded as an income and additional premiums will be given for each dependant child resident in the claimant's home. Child care disregards may also be applied where conditions are met.

"Non – dependent"

Council Commentary

As the comment has not been elaborated upon, it is presumed that it relates to protection from the requirement to make a minimum 20% contribution towards Council Tax. However, it is currently understood that the provision of protection for claimants with non dependents may not be achieved with the proposed software functionality. The proposed non dependent deductions are intended to represent the fact that other adults resident in a claimant's

household should contribute towards the Council Tax bill for the property. Additionally, the amounts of deduction range from nil to £19.80 per week in recognition of the differing circumstances of the non-dependent concerned. The highest deduction of £19.80 per week would apply where the non dependent has a gross earned income of greater than £394 and is in recognition of the greater income potentially available to the claimant concerned. The protection of this group would require significant changes to be made either elsewhere within the scheme or to be found from alternative sources of funding.

Single parent and single parent with a large family (2 responses)

Council Commentary

As the comment has not been elaborated upon, it is presumed that it relates to protection for single parents and single parents with a large family. It is currently understood that proposed software may mean that it is not possible to provide protection for this group and the cost of this provision would require significant changes to be made to the scheme elsewhere or via alternative sources of funding as outlined previously within this report. However, an additional £10 per week compared to the current Council Tax Benefit Scheme will be disregarded from earnings thus enabling single parents to earn £35 per week without it affecting their entitlement to Council Tax Support. Child Benefit will be disregarded as an income and additional premiums will be given for each dependant child resident in the claimant's home.

N/A, NO, No comment, None (6 responses)

Council Commentary

There is no further comment to these responses.

Those on benefits such as jobseekers or Employment and Support Allowance (1 response)

Council Commentary

As the comment has not been elaborated upon, it is presumed that it relates to protection from the effects of paying the minimum 20% contribution towards Council Tax. Where a claimant is in receipt of Employment Support Allowance (support component), they will be protected from the 20% minimum contribution as they will qualify for an enhanced disability premium.

As Job Seekers Allowance and Employment and Support Allowance are currently split into contribution based and income based benefits and the income related components will be combined into Universal Credit along with

other benefits such as tax credits from October 2013, the provision of protection will potentially become more complex to determine.

It is also the case that the provision of protection for these categories (assuming it could be achieved) would exceed the financial provision needed to meet the funding gap arising from the funding changes.

Working Class (1 response)

Council Commentary

It has been presumed that this is in relation to the protection for persons meeting the criteria that has already been considered in relation to responses received.

Will affect people on benefits (1 response)

Council Commentary

As Council Tax Support is a benefit for claimants in receipt of a low income, the proposed changes will affect claimants on a low income including both benefits and earnings. The Council proposals are intended to address both the financial implications arising from the changes to funding and to ensure that those with the greatest need receive the greatest assistance.

It could be argued that disabled people may have more disposable income and more likely to pay their council tax as compared to other working age customers who may be affected, but then not able to or won't pay their council tax. (1 response)

Council Commentary

The protection for claimants where they meet the proposed disabled criteria cannot be linked to disposable income within the proposed software and would be administratively complex to administer and enforce as it may require information about outgoings as well as income.

Protection from violation of their human rights and discrimination (1 response)

Council Commentary

An Equalities Impact Assessment for the proposed scheme has been conducted and is included in Appendix D to the main report. The proposed Council Tax Support Scheme is intended to comply with statutory obligations.

Protect pensioners and single occupants - the savings threshold is unrealistic - anyone earning over £55,000 could pay more to cover these groups. (1 response)

Council Commentary

Persons of pensionable age will be protected from the changes through the national rules and regulations to be prescribed by the Government. Single residents will continue to benefit from the 25% single person discount thus meaning that they will have a reduced Council Tax liability of 75% before any entitlement to Council Tax Support is determined. The proposed scheme already provides for claimants with a higher income to receive less entitlement through the effects of the taper, thus ensuring that those on a lower income can receive greater assistance. It is therefore not intended to progress this option further.

Any changes made will always affect one group more than others. That does not mean they are necessarily disadvantaged when compared to none claimants. It's merely putting right the over generosity of the previous system.

Council Commentary

An Equalities Impact Assessment has been conducted for the proposed scheme and is included as part of the main report. Due consideration has been given to other Council obligations in designing the proposed scheme.

People on reduced circumstances are in enough difficulty

Council Commentary

The proposed scheme is intended to ensure that those least able to afford the Council Tax receive the greatest assistance. Additionally, 12 monthly instalments will be available for Council Tax Payers next year rather than the 10 provided at present. Additionally, payment arrangements may be given in certain circumstances. The Council's anti poverty strategy and recovery policy will be reviewed in consultation with key stakeholders to incorporate required changes arising from implementation of the agreed scheme.

There are enough people currently living below the poverty line without adding to it

Council Commentary

The proposed local Council Tax Support Scheme is intended to provide support to those who genuinely need it within the context of reduced funding available. Protection has been proposed for certain groups of claimant and a higher entitlement to support will be available to those in receipt of lower incomes than those on higher incomes as a consequence of the taper.

Additionally, there will be the option for Council Tax Payers to elect to pay their monthly instalments by 12 monthly instalments next year rather than the 10 presently offered thus helping to ease the financial impact of the proposals.

Payment arrangements may also be available to Council Tax Payers within the provisions set out in the Council's Anti Poverty Strategy and Recovery Policy.

It will affect everyone but this is for the good of the borough, and so everyone needs to pay.

Council Commentary

There is no comment to make to this response.

The current benefits system is far too generous. There should be a limit to how long people can receive benefits, and these should steadily decrease so that people are motivated (ie have) to find work.

Also, those on benefits should only receive benefits help for up to 1 child.

Those on benefits should be made to do community service

Council Commentary

There is no proposed fixed period for entitlement to support and the application of such a period may adversely affect those most vulnerable and with the greatest need for support. This proposal has not therefore been progressed further. Similarly, a steady reduction in benefits may have a greater affect on vulnerable persons by reducing their entitlement at a time when they need it most. Providing benefits for only one child would potentially have an adverse effect on families and impact upon child poverty levels within the Borough. This proposal has not therefore been progressed further.

Community service in relation to receipt of benefits has not been progressed further. Council Tax Support is a means tested benefit that is based upon a claimant's income and circumstances. It would be administratively complex and hence costly to apply community service in return for the receipt of benefits as not all claimants for example would be able to carry out the work

and it would be necessary to record and maintain details of work performed to enable benefits to be paid.

An increase in Council Tax, however small, could easily be too much for most people in these difficult and challenging times

Council Commentary

The proposed Council Tax Support Scheme is intended to provide fairness to those claiming support and to the taxpayer, protect the most vulnerable and create the right incentives to get more people into work within the context of reduced funding provision for the scheme. It is also intended to ensure that the cost of the scheme is contained within the proposed funding level for future years. Consideration has been given to a lower contribution amount towards the Council Tax and extending the protection proposed for the options suggested as set out within this document.

The proposed scheme will increase the amount of earnings that can be retained by a claimant by £10 per week, disregard some forms of income such as child benefit and guardians allowance and protect claimants where they or a dependant in their household for example are disabled. Council Tax Payers will also be able to elect to pay by 12 monthly instalments next year and payment arrangements will be available in certain circumstances.

It is unfair that pensioners will be excluded from the changes

Council Commentary

Protection for pensioners is proposed by the Government within a national scheme of rules and regulations and must be included in a Local Authority's local Council Tax Support Scheme. The Council therefore has no powers to vary the scheme for persons of pensionable age.

There is growing inequality in this country which is bad for us all

Council Commentary

As this response does not directly relate to the proposed Council Tax Support Scheme, no further comment is made.

It will hit savers the hardest

Council Commentary

The proposed scheme is intended to provide support to those most in need within the context of reduced funding. In order to ensure that financial support

is directed to those most in need, a capital cut off limit of £6,000 has been defined within the proposed scheme

It will also hurt working single parents so double the childcare costs they still pay after working tax credit should be deducted from their income means test

Council Commentary

It is proposed that there will be no increases in rates and allowances from those applicable for Council Tax Benefit purposes in 2012/13 except where stated as in the case for example of non dependent deductions for job seekers allowance (income based) that is intended to support incentives to work and earned income disregards that are intended to support the same aim. This is intended to ensure that as far as reasonably practicable, there is potential capacity to meet the increased funding gap for 2014/15 without having to make substantial scheme changes in year 2.

Young people who are unemployed will have to stay with parents for longer

Council Commentary

Council Tax is generally payable by a resident owner or tenant with Council Tax Support being awarded to the Council Tax Payer. If the Council Tax Payer is a “young unemployed person” they may be eligible for Council Tax Support in respect of the home where they are resident. This same principle will apply to any working age claimant. There is no evidence at this stage to suggest that the proposed scheme will cause young unemployed people to stay with their parents for longer as recent research suggests that this is a trend that already exists. According to ONS figures, one in three men and one in six women aged 20 to 34 still live at home due to high rents, house prices and other costs.

Single working parents, if an increase is put on top of what they are already paying, a lot of them will not see the benefit in working and trying to contribute in the first place. Women and children are vulnerable in the first place and are protected against how much they will pay so by adding anything on top to what I myself pay already is not going to make me feel I am benefiting better to be back at work. This could make people feel very different about working instead of encouraging people to work.

Council Commentary

It is currently understood that the proposed software may mean that it is not possible to provide protection for this group.

However, irrespective of this, the cost of protecting single working parents would be significant as set out previously in this report and would either need to be found elsewhere within the scheme or from alternative sources of funding.

The proposed Council Tax Support scheme permits an additional £10 per week earnings thus enabling single parents to earn £35 per week without it affecting their entitlement to Council Tax Support. Child Benefit will be disregarded as an income and additional premiums will be given for each dependant child resident in the claimant's home. Child care disregards may also be given of up to £175 per week for one child and £300 per week for two or more children where qualifying conditions are met.

From next year, 12 monthly instalments will be available for payment of Council Tax compared to the 10 at present and payment arrangements may also be given in certain circumstances.

It is not therefore proposed to progress this option further.

You should pay the Council Tax for all claimants

Council comment

The Council does not have the financial resources available to pay the Council Tax for all claimants and such a proposal would not take into account the differing levels of income and capital available to each claimant. This option has therefore not been progressed.

The cuts being proposed to CTB should affect all residents. We all need to be made aware of the difficult situation the council finds itself in.

Council Commentary

The localisation of Council Tax Support and the financial implications of the changes were clearly indicated in the consultation documentation, at meetings held with stakeholders and on the Council website. A campaign for publicity and communications is being developed to encompass the wider reforms as well as those for Council Tax Support and to ensure that changes are effectively communicated with customers prior to annual billing in February 2013.

It will continue to unfairly affect people in joint tenancy agreements

Council response

The proposed scheme provides for Council Tax Support to be calculated on the share of the joint tenant's Council Tax liability. Where joint tenants live in a home, they are generally jointly and severally liable for payment of the remaining Council Tax balance irrespective of whether they receive benefit for their share of the Council Tax. This is a feature of the Council Tax statutory provisions and not one that is a consequence of the Council Tax Support scheme.

People on benefits and low incomes and even those with moderate incomes are already suffering and doing without basic goods, ie, food, etc. Why should they suffer more

Council Commentary

The proposed Council Tax Support Scheme is intended to provide fairness to those claiming support and to the taxpayer, protect the most vulnerable and create the right incentives to get more people into work within the context of reduced funding provision for the scheme. It is also intended to ensure that the cost of the scheme is contained within the proposed funding level for future years. Consideration has been given to a lower contribution amount towards the Council Tax and extending the protection proposed for the options suggested as set out within this document.

The proposed scheme will increase the amount of earnings that can be retained by a claimant by £10 per week, disregard some forms of income such as child benefit and guardians allowance and protect claimants where they or a dependant in their household for example are disabled. Council Tax Payers will be able to elect to pay by 12 monthly instalments next year and payment arrangements will be available in certain circumstances.

It will be hard for single parents on benefits and working single parents. because it is hard bringing up children. Just because the government states you must live off so much a week, does not mean you can. Being a single parent and looking for work and trying to get a job that allows you to take your kids to school in the morning and pick them up is very hard to find. Excluding disabled persons from the scheme is unfair.

Council Commentary

The proposed Council Tax Support Scheme is intended to provide protection for disabled persons in recognition of the fact that they generally have a limited capacity to increase their income. Consideration has been given to

extending protection to single parents which would cost approximately £0.6M for working single parents and £1.2M for non working single parents and would require compensating adjustments to be made elsewhere within the scheme. Additionally, the qualifying criteria for protecting such persons may need to be defined to prevent potential abuse of the scheme. It is also currently understood that protection of single parents may not be achievable within the proposed software. In view of the above, this option has not been progressed. An additional £10 per week will however be disregarded from a single parents earned income and up to £150 per week for a single child and £300 per week for two or more children may be made from earnings where the claimants works 16 or more hours per week and the qualifying criteria are met. Disabled persons have been considered for protection with due regard to DCLG Policy Statements of Intent and other statutory provisions.

It can affect people individually and in groups.

Council Commentary

The Council has conducted an Equalities Impact Assessment for the proposed scheme and has sought to ensure fairness and equity in the proposed changes.

We believe that the government should look after the elderly

Council Commentary

As this response appears to suggest that persons of pensionable age should be protected and the proposed scheme incorporates such protection, no further comment is made.

I see no indication how most of the burden will be carried by the better off

Council Commentary

The Council proposes to protect claimants from the requirement to make the minimum contribution of 20% of Council Tax if they meet certain qualifying criteria. Additionally, the effects of the revised capital limit being reduced from £16,000 to £6,000 and the effects of the taper for increased income will ensure that those who are least well off will receive greater support.

It's always the most vulnerable members of society who suffer.

Council Commentary

The local Council Tax Support Scheme is being introduced as a consequence of changes to statute. If the Council does not establish a local scheme, it will

be subject to the imposition of a default scheme that will potentially be more expensive to operate and will not meet the anticipated funding shortfall.

The Council proposes to provide protection from the effects of the changes for persons of pensionable age and claimants where they or a dependant in their household are disabled or in receipt of a war pension.

The benefit system is difficult and full of expensive appeals this will just add more confusion.

Council Commentary

The Council is proposing as far as reasonably practicable to include within its proposed scheme many of the features that are currently provided for within the national Council Tax Benefit scheme. Additionally, within the available timescale and the proposed software functionality, the scale of change is limited. An appeals system has been incorporated within the proposed local scheme.

You will destroy the quality of life for the lower paid and disabled.

Council Commentary

A claimant will be protected from the effects of the minimum required contribution of 20% for Council Tax if they or a dependant resident in their home is disabled as set out in the Council's proposed scheme. Additionally, claimants receiving lower levels of pay will generally be eligible for greater support than those in receipt of higher incomes. An additional £10 per week will be disregarded from earnings for single persons, couples and single parents.

By keeping the 100% discount they will have more of a chance to get on and either train or get more work. Taking the money from them will stop them having enough for postage or internet to apply for jobs."

Council Commentary

Consideration has been given to retaining the 100% support for claimants. However, the cost of this option would mean that the funding gap anticipated from the introduction of the fixed grant would not be achieved leaving a shortfall to be met from other sources or found from elsewhere within the scheme.

It won't get people back into work if they have to pay 20% because there are no jobs there to get back into.

Council Commentary

The proposed scheme is intended to create the right incentives to get more people into work and is in compliance with the Government's objective as set out within the Policy Statement of Intent for incentivising work. The 20% contribution is intended to ensure that the cost of the scheme is contained within the proposed funding level for future years. Work incentives are achieved by increasing the amount of earnings that can be retained by a claimant by £10 per week. Additionally, some forms of income will be disregarded such as child benefit and guardians allowance and some claimants will be protected from the requirement to pay the minimum 20% contribution where they or a dependant in their household for example are disabled.

Excluding pensioners of course, but those who have more experience but within the age brackets of 40-60 often find it difficult to get jobs because employers prefer to use 30 somethings

Council Commentary

The proposed Council Tax Support Scheme is intended to provide support for those who genuinely need it. Persons of pensionable age will be protected from the effects of the changes by a set of national rules and regulations. Working age claimants will be entitled to support calculated according to the proposed scheme. The Council will be working collaboratively with other stakeholders to assist residents with finding work in specified circumstances as set out in the main report.

Protection from violation of their human rights and discrimination

Council Commentary

An Equalities Impact Assessment for the proposed scheme has been conducted and is included in Appendix D to the main report. The proposed Council Tax Support Scheme is intended to comply with statutory obligations.

It will affect those already on low incomes and benefit, when there are very few jobs on the market. Once again, if after the council has taken 20% off someone on benefit, are they left with a liveable wage?

Council Commentary

The proposed scheme is intended to provide fairness to those claiming support and to the taxpayer, protect the most vulnerable and create the right incentives to get more people into work. It is also intended to ensure that the

cost of the scheme is contained within the proposed funding level for future years. This is achieved by increasing the amount of earnings that can be retained by a claimant by £10 per week, disregarding some forms of income such as child benefit and guardians allowance and protecting claimants where they or a dependant in their household for example are disabled. Council Tax Payers will be able to elect to pay by 12 monthly instalments next year and payment arrangements will be available in certain circumstances.

Changes might affect some individuals on low income such as domiciliary home care workers etc working and living in the Borough

Council Commentary

It is proposed that as a consequence of the consultation carried out, that protection from the minimum 20% contribution be extended to include carers in receipt of a Carers Allowance.

Presentations and welfare advice support at older persons residences

Council Commentary

A publicity and communications campaign is being developed and consideration of this proposal will be included within that activity.

Please provide any other additional comments you wish to make concerning the proposals

The following responses were received to this free text question and may be summarised in some instances. A commentary to each response is also provided where appropriate.

Wealthy disabled people should be asked to contribute something in Council Tax but when calculating this any money they have to finance support needs should be ignored – 2 responses

Council Commentary

On a general point, the proposed scheme restricts eligibility for applying to claimants with capital less than £6,000 thus ensuring that those with higher savings do not qualify for support and that support can be directed to those least able to afford to pay. Disabled people that meet the qualifying conditions will be protected from the minimum contribution of 20% towards Council Tax recognising the fact that such persons are often not able to increase their income. This principle has been determined with due regard to the Council's obligations under the Equalities Act 2010. There were 2 respondents that gave this response

Large capital (e.g. a house does not equate to money in pockets. Be clear about this. Part time employee with income of £20K or less. These people are very rarely entitled to benefit help.

Council Commentary

As persons of pensionable age will be protected from the changes by national rules, the rules on the holding of capital shall remain consistent with those already in place. Part time employees will be eligible for an earned income disregard that will be increased by an additional £10 per week in comparison with the existing CTB scheme.

I just hope that this will not turn into a farce like the poll tax.

Council Commentary

This comment may have been made on the misapprehension that each adult in a household would be required to pay a minimum 20% contribution towards their Council Tax. This is not the case and only the Council Tax Payer for a home will be required to pay Council Tax at an amount according to their circumstances. The collection of Council Tax from residents who may not previously have had to pay it will be addressed within the Council's anti poverty strategy and recovery policy.

Long term unemployed should do voluntary work whilst receiving benefits.

Council Commentary

The definition of long term unemployed and receipt of benefits would need to be defined for the purposes of the comment submitted and this proposal would be administratively complex to operate to ensure that the voluntary work was carried out. Potentially withdrawing entitlement where voluntary work was not carried out would need to have regard to the reasons for non compliance and the duration as well as previous history. In view of the complexities involved in such a scheme, it is not proposed to progress this further.

The Brent Magazine should be used more productively to inform people of these new proposals.

Council Commentary

The Council included details about the proposed changes in the May and July editions of the Brent Magazine and will consider further updates in future editions as part of a wider publicity and communications campaign prior to undertaking annual billing in February 2013. Other medias for communicating

the changes and the campaign timetable are currently being considered and developed.

I strongly feel it is our duty to work and contribute to the society which provides us with everything.

Council Commentary

No further comment is required.

If think that CTS in principle is a good idea as it incentivises low income earners into work. However, those at the very bottom may need compensating through other means if they are to survive in a climate that helps those that can and do work. Those with social problems or other issues who cannot work and live only on public funds will be squeezed to the extent that crime may be the only option.

Council Commentary

The Council proposes to offer 12 monthly instalments for payment of Council Tax next year in addition to the 10 currently available and will work in collaboration with other stakeholders to assist claimants with either obtaining work or seeking support from other sources. The proposed Council Tax Support Scheme is intended to provide greater support to those that need it by reducing the amount of entitlement awarded for higher income claimants through the provision of the taper.

I do feel that each household in Brent should pay towards the Local Council Tax. I also feel very strongly that LB Brent should enforce this & 'claw' back monies owing.

Council Commentary

The Council Tax Payer for each domestic property in Brent is currently required to pay Council Tax unless an exemption is granted, or they (or a partner in the case of a couple) are in receipt of a "passported benefit". Where Council Tax is payable but remains outstanding, a range of collection and enforcement measures may be used to obtain payment. This will continue to be the case under the proposed Council Tax Support Scheme with the exception that working age claimants in receipt of "passported" benefits will be required to make a minimum contribution of 20% towards their Council Tax unless they are protected by the proposed qualifying criteria applicable to persons of pensionable age, disabled persons or recipients of war widows pension.

If the Tories win the next election & scrap Senior citizens Freedom Passes, charge for prescriptions etc, charge for TV licences & so on and cannot afford to increase the pension then Brent should bear this in mind, there are a lot of people who fall into this category.

Council Commentary

The proposed scheme generally protects persons of pensionable age from the effects of the changes through a set of national rules and regulations. There is no provision to vary the provisions of the Council Tax Support Scheme for this group of claimants as it is regulated nationally by the Government.

People will suffer from depression and stress.

Council Commentary

The Council is developing a publicity and communications campaign to ensure that claimants are informed of the changes significantly in advance of annual billing next year. Additionally, 12 monthly instalments will be available for Council Tax Payers that elect to pay by this method to assist in spreading the financial implications of the changes. The Anti Poverty Strategy and Recovery Policy will also be reviewed to ensure that they incorporate the effects of the changes and these will be subject to prior consultation with key external stakeholders.

I felt today was a very good informative group.

Council Commentary

No further comment is required.

No job opportunities and people on benefits cannot afford to pay 20% it is unfair.

Council Commentary

The Government set out in its Policy Statement of Intent that one of its key objectives from the localisation of Council Tax Support was to incentivise work. The proposed scheme seeks to achieve this by increasing the level of earnings disregarded for single claimants, couples and single parents by £10 per week to £15, £20 and £35 respectively. Additionally, it proposes an increase in the level of non dependent deductions for other adults resident in the claimant's home from nil to £6.60 where they are in receipt of Job Seekers Allowance (Income Based). The minimum contribution of 20% has been determined to meet the anticipated funding gap arising as a consequence of the proposed funding changes next year. This is intended to be partially

mitigated through proposed changes to the Council Tax discounts and exemptions.

There will be an opportunity for Council Tax payers to pay the Council Tax in 12 monthly instalments from next year rather than the present 10 available and payment arrangements will be available within the scope of the Council's Anti Poverty Strategy and Recovery Policy.

No additional income from anywhere else and expected to pay council tax in addition to all currently increasing bills and difficulty to find jobs.

Council Commentary

The minimum contribution of 20% has been determined to meet the anticipated funding gap arising as a consequence of the proposed funding changes next year. This is intended to be partially mitigated through proposed changes to the Council Tax discounts and exemptions. Additionally, some claimants will be protected from the effects of the changes where they meet the qualifying criteria.

The Government set out in its Policy Statement of Intent that one of its key objectives from the localisation of Council Tax Support was to incentivise work. The proposed scheme seeks to achieve this by increasing the level of earnings disregarded for single claimants, couples and single parents by £10 per week to £15, £20 and £35 respectively. Additionally, it proposes an increase in the level of non dependent deductions for other adults resident in the claimant's home from nil to £6.60 where they are in receipt of Job Seekers Allowance (Income Based).

There will be an opportunity to pay the Council Tax in 12 monthly instalments from next year rather than the present 10 available and payment arrangements may be available within the scope of the Council's Anti Poverty Strategy and Recovery Policy.

With benefit reduction and utilities increase how can someone with full benefit afford 20% contribution

Council Commentary

The minimum contribution of 20% has been determined to meet the anticipated funding gap arising as a consequence of the proposed funding changes next year. This is intended to be partially mitigated through proposed changes to the Council Tax discounts and exemptions. Additionally, some claimants will be protected from the effects of the changes where they meet the qualifying criteria.

The Government set out in its Policy Statement of Intent that one of its key objectives from the localisation of Council Tax Support was to incentivise work. The proposed scheme seeks to achieve this by increasing the level of earnings disregarded for single claimants, couples and single parents by £10 per week to £15, £20 and £35 respectively. Additionally, it proposes an increase in the level of non dependent deductions for other adults resident in the claimant's home from nil to £6.60 where they are in receipt of Job Seekers Allowance (Income Based).

There will be an opportunity to pay the Council Tax in 12 monthly instalments from next year rather than the present 10 available and payment arrangements may be available within the scope of the Council's Anti Poverty Strategy and Recovery Policy.

The proposals should be scrapped.

Council Commentary

The Government is intending to bring the relevant statute into effect later this year and if the Council does not determine a local scheme by 31st January 2013, latest, the savings required to meet the funding gap will not be achieved and will need to be found elsewhere. This suggestion will not therefore be progressed.

Here we are talking about Council Tax SUPPORT. However, these will radically change in future whereby forthcoming valuation of ALL properties in Brent will affect house pricing at market values.

Council Commentary

It is considered that this response relates to the revaluation of Council Tax Valuation Bands that are currently based upon market values at 1st April 1991. There is no scheduled provision to revalue domestic properties at present and therefore no further comment is made.

People who are near retirement age and still looking for a job will suffer a lot due to the changes and the proposals Brent Council is undertaking. Instead of helping them while they are trying hard to get a job, this new proposal is making life much harsher. The job-seekers allowance is not even sufficient to pay bills and put food on the table and the person would have to live on very little means of buying food to eat. I hope each council will assess people according to their needs and help, instead of punishing them even though they do not have the financial ability to cope with everyday living expenses.

Council Commentary

The proposed Council Tax Support Scheme is intended to provide support to those in genuine need within the financial resources available with protection available to those that meet certain qualifying criteria. In other instances, certain incomes may be disregarded such as child benefit for example.

Council Tax Payers will be able to elect to pay by 12 monthly instalments next year rather than the 10 currently available and payment arrangements may be available in certain circumstances.

More council properties and bigger properties

Council Commentary

This comment will not be progressed further as it is unclear as to the nature of the additional comment and does not appear to be appropriate to the local Council Tax Support scheme.

The government to be more understanding especially for those with low incomes

Council Commentary

The Government is proposing to provide a set of rules and regulations for determining support for persons of pensionable age. The proposed Council Tax Support Scheme is a local scheme that is intended to determine the levels of support for working age claimants and include the national rules and regulations for persons of pensionable age. Greater entitlement to support will be available for persons in receipt of a low income in comparison to those with a higher income through the effects of the taper and means test.

The government and council to be more considerate

Council Commentary

As the comment is partially directed towards the Government rather than the Council's proposed local Council Tax Support Scheme, no further comment has been submitted on this element. In relation to the Council's proposed scheme, it is intended to provide support for those who genuinely need it within the context of the funding gap and having due regard to the Council's obligations as set out within the main report. To this extent, certain groups of claimants are protected from the effects of the minimum contribution towards Council Tax of 20% and certain income types are to be disregarded.

Consider the effects on children and young people under the proposals especially due to all the other charges including Housing Benefit and student fees.

Council Commentary

The Council proposes to disregard Child Benefit and Guardians Allowance as an income meaning that entitlement to Council Tax Support will be unaffected by the receipt of these incomes. Additionally, a premium will be added to a claimant's applicable amount (i.e. basic living needs requirement) for each dependant child that lives with them and child care disregards may be given in certain circumstances. Consideration has also been given to the proposed Council Tax Support Scheme and Child Poverty Act requirements and this has been addressed within the main report to the Executive and this report.

This is harsh and it would be good if the Council could give extra help to people who receive Benefit.

Council Commentary

The local Council Tax Support Scheme will affect all working age claimants currently in receipt of Council Tax Benefit as well as claimants becoming entitled to support from 1st April 2013. The Council proposes to provide protection for persons of pensionable age and claimants where they or a dependant in their household is disabled as set out in the qualifying criteria or in receipt of a war disablement or war widow pension. The funding gap to be met means that it is not possible to give extra help to people receiving Benefit as that could include all of the current Benefit caseload. However, consideration has been given to disregarding certain types of income in whole or in part such as Child Benefit and Guardians Allowance to ensure that entitlement to Council Tax Support is not affected by receipt of such incomes.

All Council Tax should be one price not due to area

Council Commentary

The Council Tax is currently set by each Local Authority based upon its local spending requirements and income from other sources. As this is a statutory framework, there is no current provision to address this request.

Principle 3 – Very limited work at the moment

The Government set out in its Policy Statement of Intent that one of its key objectives from the localisation of Council Tax Support was to incentivise work. The proposed scheme seeks to achieve this by increasing the level of earnings disregarded for single claimants, couples and single parents by £10

per week to £15, £20 and £35 respectively. Additionally, it proposes an increase in the level of non dependent deductions for other adults resident in the claimant's home from nil to £6.60 where they are in receipt of Job Seekers Allowance (Income Based).

Principle 6 – Unfair to those who have worked and saved

Council Commentary

This principle refers to the reduction in the capital limit from £16,000 to £6,000 for working age claimants only. As there will be less funding available, the Council needs to ensure that those with the greatest need receive the greatest help. To this extent, it is proposed that the capital limit be reduced to allow more support to be directed to those on lower incomes and to protect the most vulnerable.

Disabled should not be protected if income is high

Council Commentary

It is currently understood that there may not be a software provision that links the protection for disabled to the level of income as it is dependent upon receipt of a premium or income type. Additionally, this proposal would be administratively complex to establish and maintain. This proposal has not therefore been progressed further.

Will Council Tax prices increase over the years?

Council Commentary

It is not possible to respond on this comment as the levels of Council Tax for future years will be set by the Council dependent upon local spending requirements and income received from grants, fees and charges, Council Tax, etc.

Need more support for working adults with children

Council commentary

The proposed Council tax Support Scheme provides that claimants will be able to retain an additional £10 per week from their weekly earnings without it affecting their entitlement to support. Additionally, child care expenses of up to £175 per week for a single child and £300 for two or more children may be disregarded from earned income where the claimant or their partner works 16 or more hours per week and qualifying criteria are met.

Protection for families with one or more disabled people should be protected if they have no other income than what they receive as a carer which is a minimum amount.

Council Commentary

A claimant will be protected from the minimum contribution of 20% towards their Council Tax if they or a dependant in their household receive Disability Living Allowance, a Disability Premium or Enhanced Disability Premium, Disabled Earnings Disregard or Disabled Person's Reduction for Council Tax purposes. Consequently, the presence of a disabled person within the definition outlined above would be sufficient to ensure protection irrespective of whether there is a carer also resident in the home. As a consequence of the consultation, it is proposed to extend protection to include a carer where they are in receipt of a Carers Allowance.

Would it be possible to offer those struggling to pay the opportunity to receive a reduction / discount in return for labour on community projects – (2 responses)

Council Commentary

This proposal cannot be accommodated within the proposed software functionality and would not be deliverable within the timescale available for determining the scheme (i.e. by 31st January 2013). Additionally, such a scheme would be administratively complex and hence costly to establish and maintain. However, there will be a potential for Council Tax Payers to pay their monthly instalments over 12 months from April 2013 rather than the 10 permitted at present if they elect to take up that option.

There should be no nil income option at all. People not trying to get a job because they get enough benefit for all their children they do not have to work.

Council Commentary

It is unclear as to what this comment is suggesting. However, the proposed Council Tax Support Scheme incentivises work through an extra £10 per week earnings disregard. Where a claimant appears to have no income, further enquiries are undertaken to establish how they are meeting their day to day living expenses.

People that have lots of cash and cars should pay but not poor people!

Council Commentary

The proposed Council Tax Support Scheme reduces the capital limit for eligibility from the £16,000 in the current Council Tax Benefit Scheme to £6,000 and ensures that claimants in receipt of a higher income are entitled to less support than those in receipt of a lower income through the effects of the taper. Additionally, the Council proposes to protect certain claimants from the effects of the change through the scheme including persons of pensionable age and disabled.

Just concerned about single parents

The Government set out in its Policy Statement of Intent that one of its key objectives from the localisation of Council Tax Support was to incentivise work. The proposed scheme therefore seeks to achieve this for single parents by increasing the level of earnings disregarded by £10 per week to £35.

Additionally, child benefit and guardians allowance shall both be disregarded as income from the means test calculation carried out and an additional premium shall be given for each child resident in the claimant's home. Where the claimant or a partner is working at least 16 hours per week and qualifying criteria are met, up to £175 for one child and £300 for two or more children may be disregarded towards the payment of child care expenses.

The cost of providing protection for this group has already been set out previously within this report and would require significant savings to be made elsewhere within the scheme or from alternative sources of funding.

It is currently understood that the proposed software for administering the scheme may not be able to achieve protection for single parents from the effects of the minimum contribution for Council Tax or for specific ethnic groups within the Borough.

Council Tax Payers will also be able to elect to pay their Council Tax by 12 monthly instalments next year rather than the 10 permitted at present and payment arrangements may also be given in certain circumstances as set out in the Council's Anti Poverty Strategy and Recovery Policy.

Did not know about this

Council Commentary

There is no response required for this comment.

There should be a head count of the people living in the house.

Council Commentary

Information to support a claim including occupancy of the claimant's home is required and validated as part of the initial application process.

This comment would be administratively difficult to achieve through a visit that would require additional resources to be available to undertake such a task and may not provide a reliable outcome anyway. If there are concerns about the status of a claim and / or the accuracy of information provided by a claimant, these will be subject to further enquiries and investigation as appropriate to ensure that entitlement is genuine and to prevent fraud and error from occurring. Certain information can already be obtained from the Electoral Register and other permitted information sources without the need for a visit to the premises concerned.

You use the term 'customer'. We are not your customers. Our relationship with the council is not that of a commercial transaction. We are residents, or citizens, or similar.

Council Commentary

There is no response required for this comment.

Everyone should pay ' A Poll Tax ' not pay a tax because of the value of their home. Council Tax should be like road taxation the Mini car owner pays the same as the Rolls Royce. I believe with everybody paying the same tax the people of Brent would certainly feel they are equally sharing the cost of running Brent services

Council Commentary

The Council Tax is payable for each domestic property within the Borough and is valued by the Listing Officer at the Valuation Office Agency in accordance with defined statutory provisions. There is therefore no provision for Brent residents to pay the same level of Council Tax across the Borough. The proposed Council Tax Support Scheme intends that each claimant pays a minimum 20% Council tax contribution unless they are protected and it is possible that this comment has been erroneously attributed to that principle.

Could breach equality duties and fundamental human rights

Council Commentary

An Equalities Impact Assessment has been carried out for the proposed Council Tax Support Scheme and this is included as Appendix D to the main

report. The scheme is intended to comply with statutory obligations including the Human Rights Act.

This questionnaire is badly constructed - forced choice on page 1 does not reflect how I want to fill this in.

Using preference numbers 1-6 each number only once is silly and might distort the final result, two different things could be of equal importance.

Council Commentary

The instructions for the consultation questionnaire were designed to obtain the information required and ensure consistency in its completion that would aid the analysis and evaluation process. This would not be achieved if the questionnaire could be completed without instructions and consistency.

I think the proposal should go further. The Council should make its own assessment of entitlement rather than relying on evidence of other agencies as assessments are not always religiously undertaken. I know of many families on income support and housing benefit that should not be receiving them.

Council Commentary

Where another Government agency carries out an assessment of a claimant's means, that information may be shared with the Council under statutory provisions relating to data sharing. Where a statutory provision provides for this facility, the Council will apply it as it minimises delays for customers that may be otherwise experienced whilst information is sought, it reduces administration costs and ensures consistency in terms of data usage. Where inconsistencies arise or new information is received, claims may be reviewed and / or investigated where appropriate to ensure that entitlement is correct. If the respondent is aware of many families receiving Housing Benefit and Income Support that should not be receiving them, they should report these to the Council using the confidential helpline available for that purpose.

if we do not give support where it is needed people will slip through the net and there are enough children and adults below the poverty line

Council Commentary

The proposed scheme intends to provide support to those who genuinely need it through a means test applied. Consideration has been given to Child Poverty Act implications and other obligations and these are addressed within the main report to the Executive regarding the proposed scheme.

How shameful that Brent is 7th from bottom (Liverpool being the last)in Council Tax evasion!` A rose by any other name is still a rose` therefore `Council Tax Benefits by any other name is still Council Tax Benefits - Who really cares what it`s called just so long as the owed Council Tax is paid and the cuts remain unaffected !

Council Commentary

The Council seeks to recover unpaid Council Tax through the range of statutory enforcement measures available to it. The changes to central government funding from a subsidy for expenditure incurred to a fixed grant and based upon 90% of Council Tax Benefit expenditure in 2010/11 mean that a funding gap exists irrespective of Council Tax collection rates attained. The Council has considered within its scheme design potential collection rates and will continue to collect and enforce payment of Council Tax in the future to ensure that these are maximised.

Everyone should pay council tax and no benefit should be available. This will save millions of pounds every year, which can be spent on improving safety and reducing the high crime rates in the Borough of Brent.

Council Commentary

The Council has a legal obligation to provide a local Council Tax Support Scheme. If a scheme has not been determined by the Council by 31st January, a default scheme will be imposed on the Council by the Government that will not meet the funding gap arising from the financing changes.

Rather than looking to squeeze every last penny out of residents, why not look at how big, local businesses can help/contribute more

This comment is not appropriate to the proposed Council Tax Support Scheme. It relates more specifically to the financing of Council expenditure plans.

What is the point of incentivising work when people can't find any?

Council Commentary

The Government set out in its Policy Statement of Intent that one of its key objectives from the localisation of Council Tax Support was to incentivise work. The proposed scheme seeks to achieve this by increasing the level of earnings disregarded for single claimants, couples and single parents by £10 per week to £15, £20 and £35 respectively. Additionally, it proposes an increase in the level of non dependent deductions for other adults resident in

the claimant's home from nil to £6.60 where they are in receipt of Job Seekers Allowance (Income Based).

A panic is going to happen for people such as myself and help and organising should be set out now and we should all be explained to how we have to deal with these changes and how much we pay explained now. Instead of having these changes start and everyone bombarding phone lines offices in April next year as seems to me this is all rushed considering it starts in April and Councils are still trying to organise who pays what!!!!

Council Commentary

It is currently intended that the proposed Council Tax Support Scheme will be considered and made by Full Council in November 2012 and that following the decision, a campaign of communication and publicity will be undertaken to ensure that claimants are aware of the changes and the implications for Council Tax payments in the next financial year.

The new proposal will affect poor people and they will be the poorest.

Council Commentary

The proposed scheme affects all working age claimants unless protected. As the proposed scheme is intended to be applicable to all current recipients of Council Tax Benefit, it will impact upon those with a low income. However, the effects of the changes have been mitigated in part through the proposal to partly finance the funding gap from other means subject to Council approval and to protect certain groups of claimants from the requirement to make the minimum 20% contribution. Additionally, certain income types will be disregarded either in part or in full to ensure that receipt of these does not affect entitlement. Non dependent deductions will also not be applicable in certain circumstances such as where the claimant is in receipt of a disability living allowance or the non dependant is in receipt of Income Support.

I already can't afford to feed myself, my dog and pay the electricity bill - now you want me to pay an extra 250 quid a year.

The minimum contribution of 20% has been determined to meet the anticipated funding gap arising as a consequence of the proposed funding changes next year. This is intended to be partially mitigated through proposed changes to the Council Tax discounts and exemptions. Additionally, some claimants will be protected from the effects of the changes where they meet the qualifying criteria.

There will be an opportunity to pay the Council Tax in 12 monthly instalments from next year rather than the present 10 available and payment arrangements may be available within the scope of the Council's Anti Poverty Strategy and Recovery Policy.

JSA is set at the absolute minimum one needs to survive. In my case, it's not even enough for that. How can a reasonable person expect someone living on the breadline to increase their payments so substantially?

The minimum contribution of 20% has been determined to meet the anticipated funding gap arising as a consequence of the proposed funding changes next year. This is intended to be partially mitigated through proposed changes to the Council Tax discounts and exemptions. Additionally, some claimants will be protected from the effects of the changes where they meet the qualifying criteria.

Protection for claimants in receipt of Job Seekers Allowance has been considered as set out within this document but would be administratively complex due to the distinction between Income Based and Contribution Based Job seekers Allowance and the migration of income based cases to Universal Credit from October next year. Additionally, the cost of affording protection to such claimants has been considered previously within this report and would require significant changes to be made elsewhere to the scheme or alternative sources of funding to be identified.

There will be an opportunity to pay the Council Tax in 12 monthly instalments from next year rather than the present 10 available and payment arrangements may be available within the scope of the Council's Anti Poverty Strategy and Recovery Policy.

Please protect people in joint tenancy arrangements

Council Commentary

The proposed scheme provides for Council Tax Support to be calculated on the share of the joint tenant's Council Tax liability. Where joint tenants live in a home, they are generally jointly and severally liable for payment of the remaining Council Tax balance irrespective of whether they receive benefit for their share of the Council Tax. This is a feature of the Council Tax statutory provisions and not one that is a consequence of the Council Tax Support scheme.

Non passport holders should pay more than UK residents

The Government will be prescribing the circumstances in which persons from abroad may be eligible for entitlement to Council Tax Support through a set of national rules and regulations. UK residents will be eligible for support according to the conditions of the Council Tax Support Scheme for persons of working age.

I also think if you have a non dependant in your home you should not assume that they are making a contribution to the house hold and it should be the council responsibility to get any rent council tax from non dependants. How can Brent council create the right incentives to get people into work, when you got rid of a lot of jobs and kept the temps on. If you are asking people to pay under this new scheme then your staff have to work. Currently living in Neasden I find it very dirty. Neasden shopping centre is dirty there is always rubbish bags everywhere. if you want people to pay you have to be on top of these things

Council Commentary

The proposed Council Tax Support Scheme provides for a deduction to be made where there is another adult, or adults, resident in the household according to their circumstances and / or in certain instances, the circumstances of the claimant. The level of deduction varies in general terms according to the gross earnings of the claimant with other rates of deduction provided where the non dependant is not in paid employment. These represent the policy intent that where a claimant has other adults living in their household that have an income, that an assumed level of contribution towards bills would be anticipated. The remaining part of the comment appears to be unrelated to the Council Tax Support proposals and therefore has not been considered further.

We think that, you should definitely pay Council Tax to those who are on pensions or low income.

Council Commentary

Persons of pensionable age will be protected from the effects of the proposed changes by virtue of national rules and regulations. Claimants in receipt of a low income may be eligible for Council Tax Support where they meet the qualifying criteria. The proposed scheme is intended to provide support to claimants in receipt of a low income by providing protection for the disabled, persons of pensionable age and recipients of war pensions. Claimants in receipt of higher rates of income will receive less support through the effects of the taper.

The Council has given bigger houses to those who have a small family and in that case they have to pay extra tax. For example I have 3 children and the Council has provided me with an 8 bedroom house and I have to pay £280 council tax although I am a pensioner and I cannot afford it.

Council Commentary

The Council Tax Support available for persons of pensionable age will generally be unaffected by the proposed changes as there will be a set of national rules and regulations governing such cases that replicate existing provisions. The separate matter of accommodation size provided to a person as a consequence of Housing provisions is not a matter applicable to the Council Tax Support Scheme.

All persons that are sick should be 100% discounted.

Council Commentary

The Council is proposing to protect claimants from the requirement to pay the minimum 20% contribution for Council Tax where they, or their dependants, are in receipt of Disability Living Allowance, a Disability Premium or Enhanced Disability Premium. A Disability Premium may be given in some circumstances where a person is defined as long term sick. The definition of sickness in the respondents comment submitted would need to be defined as it could potentially include persons who are temporarily unavailable to work as well as those who are permanently unable to work. In view of the additional administrative complexity that would be created from the need to establish sickness details, this proposal has not been progressed further.

It is hard enough without being penalised further. When working we/they all pay full rate. What else are our taxes for? Apart to assist when in distress. After all when working we pay for others.

Most of us do not enjoy getting state benefits until there is no other option why test us more when we have worked hard all our lives to pay taxes and exhaust and tire us more to prove that we deserve and we are entitled to it.

Council Commentary

Council Tax Support is a means tested benefit and not contribution based. As there is reduced funding available, the funding deficit either needs to be met from within the scheme itself or from alternative sources. The proposed scheme incorporates a minimum contribution of 20% with protection for certain groups such as disabled persons.

"Feature 1: We are extremely concerned by this proposal. The increase in the age threshold of the shared accommodation rate up to 35 means that there will be an increase in the number of individuals looking for shared accommodation. In many areas there is significant competition for these properties. This feature reduces the incentive for individuals to let spare rooms to individuals on low incomes, thereby potentially reducing the supply of properties further. Furthermore, if an individual on a low income were to move into a property with someone on a higher income, it is likely that the claimant would charge the low income tenant half of the council tax amount, which is likely to be unaffordable for the individual on a low income, risking either them going into debt or a breakdown in the relationship, possibly leading to being asked to leave and subsequent possible homelessness.

Council Commentary

This comment relates to the cessation of second adult rebate proposed within the scheme. The continued provision of this aspect of the existing national Council Tax Benefit scheme would cost £87,000 that would need to be funded from elsewhere within the scheme or via alternative sources of funding. The above comment appears to relate to a scenario whereby there may be a rental agreement of some description and / or rent payable by a tenant to a landlord.

Council Tax is normally payable by an adult (i.e. aged 18 or over) who has their sole or main residence in a dwelling. Where the Council Tax Payer lets a room to a tenant, the tenant will not generally be liable for payment of the Council Tax to the Council and therefore Council Tax Support will not apply in that instant.

Entitlement to Second Adult Rebate is also unlikely to be applicable under the current Council Tax Benefit scheme as it cannot be awarded where a claimant receives a rent from anyone that is resident in their home.

Second adult rebate is often considered within the existing Council Tax Benefit scheme where a claimant has a non dependant son or daughter living with them who is not a "disregarded person" for Council Tax purposes. In this context, a disregarded person could include a carer, care worker, apprentice, or student for example.

As entitlement to second adult rebate cannot occur in any situation where a rent is payable to the claimant by someone else resident in their home, it is considered that the proposed cessation of second adult rebate would not give rise to a different outcome to that of the present national scheme for the scenario given. As the claimant by definition would have sufficient income to

pay the Council Tax without recourse to Benefit, it is considered that the cessation of second adult rebate would not unduly penalise such persons.

Council Tax Support rates should be increased in line with the cost of basic living needs as these are currently rising rapidly, and any calculations should take this into consideration in order not to cause unnecessary hardship.

Council Commentary

The effects of the reduced scheme funding and growth in expenditure / caseload have been modelled to determine the likely funding gap for year 1 and year 2 of the proposed Scheme. Applying the increases to the rates proposed by the respondent would require the Council to fundamentally review its scheme provisions in year 2 to enable the potential funding gap to be achieved or to find alternative sources of finance to meet the costs of the scheme. In the former case, this could compromise consistency for claimants in terms of the local scheme provisions as they would need to be revised. Additionally, they would also require transitional protection to be considered for any claimants that may be worse off as a consequence of any proposed changes to the scheme in that year. In the latter case, the source of alternative funding to meet the potential funding gap would need to be determined and may have an opportunity cost.

The Council should reduce spending elsewhere to meet the funding gap.

Council Commentary

Consideration has been given to mitigating the extent of the Council Tax Support Scheme funding gap through alternative sources of finance available. To this extent, it is proposed that changes will be proposed to levels of discounts / exemptions available for specified Council Tax exemption classes subject to Council approval. Spending decisions will be determined by the Council having regard to its proposed future income and expenditure plans including those of the Council Tax Support Scheme.

The proposal should be fair

Council commentary

The proposed local Council tax Support scheme affects all working age claimants although with protection provided for those that are disabled, in receipt of a war pension or of pensionable age. This comment should also be considered in relation to the results obtained from the consultation process undertaken.

The expectation of someone living alone to pay 100% of Council Tax with the loss of the 25% discount would effectively mean they will be subsidising others and may force some into poverty and onto benefits?

Council Commentary

The discount for single resident adults of 25% will not be affected by the proposed changes. A single adult currently in receipt of 100% Council Tax Benefit will still receive their 25% discount from 1st April 2013 but may be required to pay a minimum of 20% of the remaining Council Tax amount payable unless they qualify for protection under the Council's proposed eligibility criteria.

Will there be an appeals procedure?

Council Commentary

There will be an appeals procedure and this is included in the recommended scheme.

Elderly people/pensioners are being hit in several areas - I would ask the Council to pay particular attention to this group

Council commentary

As claimants of pensionable age will generally be protected from the effects of the changes through a set of national rules and regulations, this comment is already addressed within the proposed scheme.

There were 11 responses that did not make any comment for this question.

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Appendix B – Scheme Options Considered

Option	Reasons for rejection
Exclude the need for a minimum contribution (“Principle 1”) element	Will not achieve the level of financial savings as previously outlined
Capping entitlement at Council Tax liability level	Would impact on large households, and disproportionately on BME groups; and on those claimants potentially already impacted by Housing Benefit caps from 2011/12 and the overall income cap to be introduced from April 2013
Stopping or restricting backdating of claims (currently paid where there is a good reasons for a claimant making a late claim)	Achieves very small savings, and also impacts upon some of the most vulnerable – those least able to handle their own affairs; understand the Benefit system; or otherwise disadvantaged
Limited period awards (e.g. only pay CTS for six months)	Likely to result in a very low Council Tax collection rate for the period after benefit ends, and administratively complex with the potential for claimants to receive multiple Council Tax bills in close succession particularly where CTS ends and before the claimant reapplies or receives continued support
De minimus rule	To produce reasonable levels of savings, a de minimus of at least £7.50pw would be required (32% of a Band C charge); too crude a mechanism and likely to impact on claimants where other restrictions (e.g. higher taper or non-dependant charges) have already applied
Discretionary scheme element to cover cases of extreme hardship	Would have to be funded by harsher application of the CTS rules elsewhere; also more administratively complex and more likely to lead to inconsistent decisions. There is in any event a wider discretion under Section 13A Local Government Finance Act 1992 that may permit decisions to be taken concerning individual circumstances.

<p>Uprate applicable amounts and personal allowances by rate of inflation (CPI) from 2013 onwards</p>	<p>Introduces an inflationary element into scheme design which would need to be funded by harsher application of the scheme elsewhere. As the Council has an obligation to review its scheme on an annual basis, this feature could be revised at that stage subject to consultation arrangements</p>
<p>Simplify the system of non-dependant charges by having one charge for working non-dependants and one for non-working</p>	<p>The weight of the increased charges falls more on lower income non-dependants than on higher ones – relative to application of the preferred scheme mechanism (doubling existing charges) - and therefore contrary to scheme principles</p>
<p>Protect families with children from the effects of the minimum 20% Council Tax contribution</p>	<p>The protection will not achieve the financial savings required and it is not currently feasible to protect families with children of specified ages.</p>
<p>Protect single parents from the effects of the minimum 20% Council Tax contribution (working and non working options submitted)</p>	<p>The extension of the protection to single parents in work would require savings of £0.73M to be found elsewhere within the scheme and to protect those not working would require £1.5M savings be found elsewhere. Protecting single parents with children of specified ages is not currently feasible.</p>
<p>Protect Young Adults</p>	<p>No definition of what constitutes a young adult has been provided and this would need to be determined. Some young adults may either already possess or have an ability to obtain more capital or income than others. The administrative complexity involved in determining protection for this group would currently be difficult without the existence of a specific income type or premium being applied to their CTS calculation. The provision to elect to pay by 12 monthly instalments for Council Tax next year instead of the current 10 may assist with the financial payments required and payment arrangements may be possible in</p>

	specified circumstances.
Protect persons attending courses for education to improve employment prospects	Persons attending full time courses of further and higher education that are liable to pay Council Tax may be exempt from Council Tax liability under the Class M and N Council Tax exemptions. Students will only be eligible to apply for Council Tax Support where they are for example single parents or couples where they are both students with responsibility for a child or young person and students on passported benefits. Additionally, where students qualify for a disability premium, they will be protected from the requirement to contribute a minimum 20% Council Tax contribution. It would be administratively difficult to link attendance on a course of education with an intention to improve employment prospects as this could potentially apply to all courses undertaken.
Protect young adults aged 16 to 30 in full time education or learning and living with parents	Young adults aged under 18 are exempt from Council Tax liability. If they are aged 18 to 30 and living with their parents, it is likely in many cases that their parents will be the Council Tax Payers for the home. Where the liable person for Council Tax is a student and they live on their own, they will normally be exempt under Class M or N of the Council Tax exemptions. Students will be eligible to apply for Council Tax Support where they are for example single parents or couples where they are both students with responsibility for a child or young person and students on passported benefits. Additionally, where students qualify for a disability premium, they will be protected from the requirement to contribute a minimum 20% Council Tax contribution.
Protect persons with no savings	The recommended scheme does not provide protection for persons with no savings although there is a

	<p>cut-off limit of £6,000 above which persons will not be entitled to Council Tax Support. Protection for claimants with no savings is anticipated to be prohibitively expensive due to the volumes of claimants with no savings, would be difficult to administer and could have an adverse policy effect.</p>
Protect people looking for work	<p>This option would be administratively difficult to administer as the definition of “looking for work” and the application of this would be difficult to determine and evaluate compliance.</p>
Protect people in receipt of Benefits	<p>Without a precise definition of what specific Benefits should be considered for a claimant to be eligible for protection, such a definition would be administratively difficult to operate. The recommended scheme provides that certain Benefits received and to be used in the calculations for assessing entitlement will be disregarded in full including for example Income Support and Employment Support Allowance (Income Related) thus ensuring greater entitlement to Support in such cases.</p>
Protect Joint Tenants (where the other tenant does not contribute)	<p>The recommended scheme does not provide protection for joint tenants where the other tenant does not contribute. Existing Council Tax statutory provisions address liability requirements and this matter is considered to be a matter for the respective tenants to resolve between them.</p> <p>Council Tax statute provides that joint tenants are generally jointly and severally liable to pay Council Tax and the fact that one of the tenants does not pay, does not prevent the Council from enforcing payment against either or both the tenants concerned.</p> <p>It is also worth noting that the</p>

	existence of this issue could arise irrespective of the presence of the Council Tax Support Scheme.
Protect persons recently unemployed	This option would be difficult to administer as potentially the reasons for unemployment and the duration of "recent" would need to be determined to assist in the evaluation of entitlement. Additionally, it is understood that the software would be unable to support the provision of protection for persons within this group unless it included all persons in receipt of Job Seekers Allowance for example.
Protect people with severe learning disorders	The recommended scheme already provides protection for persons in receipt of Disability Living Allowance and Employment Support Allowance (Care Component). Additionally, existing Council Tax statute provides an exemption for a Council Tax Payer that meets the qualifying criteria for "severely mental impairment" where they are the sole adult resident. Additionally, such persons are not jointly and severally liable where they would normally be treated as having a joint liability with other residents. Accordingly, in such circumstances, they would not have any Council Tax liability and hence entitlement to CTS would not be applicable.
Protect people on medical grounds (including receipt of Employment Support Allowance Care Component)	The recommended scheme already provides protection for claimants where they are in receipt of Employment Support Allowance with the care component by virtue of their entitlement to a disability premium that is one of the protected groups. Additionally, where a claimant is long term sick, they are likely to qualify for a disability premium if they are incapable of work for 28 weeks and they are terminally ill and 52 weeks in any other case. In such circumstances, they would also be protected from

	<p>the requirement to pay the minimum 20% Council Tax contribution. Receipt of Employment Support Allowance (Income Related) is also disregarded as an income in assessing entitlement to CTS. Extending protection on medical grounds for reasons other than those already identified could be administratively difficult as the medical grounds would need to be defined and validated and there may be periods whereby two or more periods might need to be linked for example.</p>
<p>Protect persons on a low income (including on minimum wage)</p>	<p>The proposed Council Tax Support scheme already provides support to persons on a low income with those on the lowest incomes being entitled to the most support. Protection from the requirement to pay the minimum contribution of 20% is to be given for vulnerable persons including the disabled and war widows and widowers. Persons of pensionable age shall receive 100% Benefit entitlement where they are in receipt of pension credit guarantee credit. As income increases above basic living needs, the amount of entitlement to support shall be withdrawn at a rate of 30 pence in the pound thus preserving this characteristic. For those claimants who are working, (including those on a minimum wage) the proposed CTS scheme proposes a more generous allowance of the amount of weekly income that can be earned before means testing is applied compared to the current Council Tax Benefit scheme. Additionally, it is currently understood that the proposed CTS software would be unable to support the provision of protection for persons within this group unless a specific income type was to be specified and this would be administratively complex to achieve in view of the range of potential</p>

	types concerned.
Protect persons resettled from a hostel	<p>Protection for persons resettled from a hostel for a specific period has been considered. It is considered that the income / earnings of such persons should determine the level of support applicable through the effects of the means test performed and that such persons are more likely to have an ability to increase their weekly income than the other groups identified for protection in the proposed scheme.</p> <p>However, the Council proposes to extend the minimum number of monthly instalments for Council Tax Payers from 10 to 12 in line with proposed statute change and will work closely with Housing Associations, the Council's Housing Department and Brent Housing Partnership to ensure that an application for Council Tax Support is promptly submitted in such circumstances.</p>
Protect persons receiving Job Seekers Allowance and Universal Credit	<p>From October 2013, existing cases of Job Seekers Allowance (income Based) will be migrated on a phased basis to Universal Credit. Contributory based Job Seekers Allowance will however remain separate. Providing protection merely for contribution based job seekers allowance recipients will not be reasonable and appropriate if income based recipients of job seekers allowance do not receive protection also especially as the income and capital of such persons is generally likely to be less. As Universal Credit will be for "in" and "out of work" claimants, the distinction between the various claimant circumstances will not be administratively easy to identify.</p> <p>As Universal Credit will also include Income Support recipients, Employment and Support Allowance (Income Related) and Working Tax</p>

	<p>Credit, this would effectively mean that the existing “passport” caseload plus some existing “non-passported” cases could be eligible for protection under this proposal.</p> <p>Achievement of the savings needed to meet the Council’s funding deficit under this proposal would not be met as 60% of the existing caseload is passported. In view of the above, this option is not proposed to be progressed.</p>
Protect people not working	<p>This would be administratively difficult to enforce as the definition of “not working” would need to be evaluated and determined. The reasons for not working may also need to be determined and references to temporary and voluntary work may also need to be incorporated.</p> <p>The provision of protection for persons within this group could impact significantly on the financial savings that would otherwise be delivered by the proposed scheme.</p>
Protect vulnerable persons	<p>The Council set out its definition of persons proposed for protection in its draft scheme. Consideration to other potentially “vulnerable” groups has also been considered as part of the scheme design and as suggested by the Government in its Policy Statement of Intent and set out elsewhere within this report.</p>
Protect disabled	<p>The proposed scheme already provides protection for disabled persons.</p>
Protect persons of pensionable age	<p>The recommended scheme already provides protection for persons of pensionable age.</p>
Protect terminally ill	<p>The recommended scheme provides protection for terminally ill claimants in receipt of Disability Living Allowance / Personal Independence Payments. A person with a terminal illness will be fast</p>

	<p>tracked on to a guaranteed payment of the enhanced rate of the Daily Living component of Personal Independence Payment without having to satisfy the qualifying period or the prospective test. They will also be able to apply for the Mobility component and receive that immediately if they qualify. Consequently, protection will be applicable at an earlier stage in such cases.</p> <p>Additionally, entitlement to a disability premium and hence protection from payment of the minimum 20% contribution applies where a claimant is incapable of work and has been for 28 weeks if they are terminally ill. This route helps people to qualify for a disability premium where they are incapable of work but do not get incapacity benefit.</p>
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Appendix C

Table A

Nil increase in Council Tax levels and growth of £0.25M for 2013/14

Description	2013/14
Estimated CTS for 2012/13	£35,500,000
Brent share @ 77.54%	£27,526,700
Indicative grant	£23,725,000
Reduction on estimated CTB total	£3,801,700
Additional growth in 2013/14 – Brent share	£193,850
Total deficit 2013/14	£3,995,550
Estimated CTS for 2014/15 assuming a Council Tax increase @ 2% for 2014/15	£36,304,378
Brent share @ 77.88%	£28,273,285
Indicative grant	£23,725,000
Total deficit 2014/15	£4,548,285

Table B

Nil increase in Council Tax levels and growth of £0.5M for 2013/14

Description	2013/14
Estimated CTS for 2012/13	£35,500,000
Brent share @ 77.54%	£27,526,700
Indicative grant	£23,725,000
Reduction on estimated CTB total	£3,801,700
Additional growth in 2013/14 – Brent share	£387,700
Total deficit 2013/14	£4,189,400
Estimated CTS for 2014/15 assuming a Council Tax increase @ 2% for 2014/15	£36,558,000
Brent share @ 77.88%	£28,471,370
Indicative grant	£23,725,000
Total deficit 2014/15	£4,746,370

Table C

1% increase in Council Tax levels and growth of £0.25M for 2013/14

Description	2013/14
Estimated CTS for 2012/13	£35,500,000
Brent share @ 77.54%	£27,526,700
Indicative grant	£23,725,000
Reduction on estimated CTB total	£3,801,700
Additional growth in 2013/14 – Brent share	£193,850
Deficit for 2013/14 before increase in CTAX	£3,995,550
CTS for 2013/14 after increase in CTAX of 1% and growth	£36,025,051
Brent share @ 77.71%	£27,994,590
Total Deficit 2013/14	£4,269,590
Estimated CTS for 2014/15 assuming a Council Tax increase @ 2% for 2014/15	£36,585,142
Brent share @ 78.05%	£28,554,482
Indicative grant	£23,725,000
Total deficit 2014/15	£4,829,482

Table D

1% increase in Council Tax levels and growth of £0.5M for 2013/14

Description	2013/14
Estimated CTS for 2012/13	£35,500,000
Brent share @ 77.54%	£27,526,700
Indicative grant	£23,725,000
Reduction on estimated CTB total	£3,801,700
Additional growth in 2013/14 – Brent share	£387,700
Deficit for 2013/14 before increase in CTAX	£4,189,400
CTS for 2013/14 after increase in CTAX of 1% and growth	£36,275,251
Brent share @ 77.71%	£28,188,860
Total Deficit 2013/14	£4,463,860
Estimated CTS for 2014/15 assuming a Council Tax increase @ 2%	£36,839,028
Brent share @ 78.05%	£28,752,638
Indicative grant	£23,725,000
Total deficit 2014/15	£5,027,638

Table E

2% increase in Council Tax levels and growth of £0.25M for 2013/14

Description	2013/14
Estimated CTS for 2012/13	£35,500,000
Brent share @ 77.54%	£27,526,700
Indicative grant	£23,725,000
Reduction on estimated CTB total	£3,801,700
Additional growth in 2013/14 – Brent share	£193,850
Deficit for 2013/14 before increase in CTAX	£3,995,550
CTS for 2013/14 after increase in CTAX of 2% and growth	£36,300,501
Brent share @ 77.88%	£28,270,266
Total Deficit 2013/14	£4,545,266
Estimated CTS for 2014/15 assuming a Council Tax increase @ 2% for 2014/15	£36,865,907
Brent share @ 78.22%	£28,835,671
Indicative grant	£23,725,000
Total deficit 2014/15	£5,110,671

Table F

2% increase in Council Tax levels and growth of £0.5M for 2013/14

Description	2013/14
Estimated CTS for 2012/13	£35,500,000
Brent share @ 77.54%	£27,526,700
Indicative grant	£23,725,000
Reduction on estimated CTB total	£3,801,700
Additional growth in 2013/14 – Brent share	£387,700
Deficit for 2013/14 before increase in CTAX	£4,189,400
CTS for 2013/14 after increase in CTAX of 2% and growth	£36,550,501
Brent share @ 77.88%	£28,464,962
Total Deficit 2013/14	£4,739,962
Estimated CTS for 2014/15 assuming a Council Tax increase @ 2%	£37,119,801
Brent share @ 78.05%	£29,034,261
Indicative grant	£23,725,000
Total deficit 2014/15	£5,309,261

Table G

3.5% increase in Council Tax levels and growth of £0.25M for 2013/14

Description	2013/14
Estimated CTS for 2012/13	£35,500,000
Brent share @ 77.54%	£27,526,700
Indicative grant	£23,725,000
Reduction on estimated CTB total	£3,801,700
Additional growth in 2013/14 – Brent share	£193,850
Deficit for 2013/14 before increase in CTAX	£3,995,550
CTS for 2013/14 after increase in CTAX of 3.5% and growth	£36,713,377
Brent share @ 78.13%	£28,683,768
Total Deficit 2013/14	£4,958,768
Estimated CTS for 2014/15 assuming a Council Tax increase @ 2% for 2014/15	£37,287,053
Brent share @ 78.05%	£29,257,444
Indicative grant	£23,725,000
Total deficit 2014/15	£5,532,444

Table H

3.5% increase in Council Tax levels and growth of £0.5M for 2013/14

Description	2013/14
Estimated CTS for 2012/13	£35,500,000
Brent share @ 77.54%	£27,526,700
Indicative grant	£23,725,000
Reduction on estimated CTB total	£3,801,700
Additional growth in 2013/14 – Brent share	£387,700
Deficit for 2013/14 before increase in CTAX	£4,189,400
CTS for 2013/14 after increase in CTAX of 3.5% and growth	£36,963,377
Brent share @ 78.13%	£28,879,091
Total Deficit 2013/14	£5,154,091
Estimated CTS for 2014/15 assuming a Council Tax increase @ 2%	£37,540,959
Brent share @ 78.47%	£29,456,672
Indicative grant	£23,725,000
Total deficit 2014/15	£5,731,672

Appendix D - Impact Needs/Requirement Assessment Completion Form

Department: Brent Customer Services	Person Responsible:
Service Area: Finance & Corporate Services	Timescale for Equality Impact Assessment :
Date: 11 th July 2012	Completion date: 7 th September 2012
Name of service/policy/procedure/project etc: Local Council Tax Support scheme with effect from April 2013	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input checked="" type="checkbox"/> Not found <input type="checkbox"/> Found <input checked="" type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Please state below:
1. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	2. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. Grounds of disability: Physical or sensory impairment, mental disability or learning disability Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4. Grounds of faith or belief: Religion/faith including people who do not have a religion Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Grounds of sexual orientation: Lesbian, Gay and bisexual Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Grounds of age: Older people, children and young People Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Consultation conducted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Person responsible for arranging the review: David Oates	Person responsible for publishing results of Equality Impact Assessment: David Oates
Person responsible for monitoring: David Oates	Date results due to be published and where: Before the Executive Meeting on 15 th October 2012 on the Brent Council website.
Signed: David Oates	Date: 24 th September 2012

Appendix D - Impact Needs/Requirement Assessment Completion Form

Please note that you must complete this form if you are undertaking a formal Impact Needs/Requirement Assessment. You may also wish to use this form for guidance to undertake an initial assessment, please indicate.

1. What is the service/policy/procedure/project etc to be assessed?

The Welfare Reform Act 2012 abolishes Council Tax Benefit. Once the Local Government Finance Bill becomes law, Local Authorities' will be required to design their own scheme to administer Council Tax Support, working within a framework set out in legislation. The Government has been clear that vulnerable pensioners should be protected, and that the changes should support incentives for people to find and stay in work. If it is not, the government's default scheme will be imposed, which is essentially a replica of CTB.

Unlike most other abolished benefits, council tax benefit is to be excluded from Universal Credit (Universal Credit is a single benefit that will replace Housing Benefit, Income Support, Job Seekers Allowance (Income Based), Employment and Support Allowance (Income Related), Child tax Credit and Working Tax Credit) and the Government has placed a duty on all local authorities to implement a local Council Tax Support Scheme.

Local Council Tax Support Schemes are to be devised, promoted, adopted and implemented by Local Authorities and there must be a published local scheme that has been agreed by the Council by 31st January 2013 ready for implementation in April 2013.

2. Briefly describe the aim of the service/policy etc? What needs or duties are it designed to meet? How does it differ from any existing services/ policies etc in this area

Council Tax Benefit- Background

Council Tax Benefit is an income-related benefit available to those on low incomes, with national rules for assessing entitlement. In contrast to other social security benefits, Council Tax Benefit is not administered by the Department of Work and Pensions or its agencies, but by approximately 380 local authorities in Great Britain. Council Tax Benefit is currently available to a range of customer groups, including but not limited to:

- both working age and pensionable age customers;
- both customers who are in work and out of work; and
- customers with and without disabilities.

Council Tax Benefit provides help towards the cost of Council Tax and can be claimed by any adult homeowners as well as those who rent their accommodation.

See Appendix D1 – Council Tax Benefit Background

2.1. Why is Council Tax Benefit Changing?

From April 2013, the Government proposes to abolish Council Tax Benefit. Every Council will have to replace it with a new local scheme to be known as Council Tax Support. The government is giving councils less money to pay for their new schemes. The revised funding will represent a fixed grant of 90% of the current Council Tax Benefit subsidised expenditure and will not therefore be increased if the number of people claiming or the council tax level increases.

The local council tax support scheme must be agreed by 31 January 2013. If the scheme is not approved by this date, a default scheme will be imposed by the government and in these circumstances the 10% funding reduction will need to be met from other sources, for example, increasing council tax levels or reducing other services.

The benefit system is facing a radical over-haul which was kick started back in 2011 with changes to Housing Benefit. For the most part, reform has meant the amount of money available to councils has generally reduced.

At the same time, the Government has introduced the Localism Bill; much of this bill involves the government handing over control of budgets and decision making powers to local councils. One of the

Appendix D - Impact Needs/Requirement Assessment Completion Form

many benefits to be affected by these changes is the national Council Tax Benefit scheme which will be replaced by local Council Tax Support in April 2013.

As well as having to create a local scheme that is suitable for Brent, the council will be required to protect claimants of pensionable age from the changes whilst operating within a budget that has been reduced by over ten per cent. The cumulative effects of these requirements mean that the reduced level of funding is likely to have the greatest impact on working age customers

Estimates suggest this represents a funding gap of £5.2 million, taking account of the increasing number of people currently claiming benefit. This gap will increase further if the number of people claiming benefit goes up more than expected or if Council Tax levels increase.

This shortage in funding means the Council has to take some difficult decisions about who gets financial support and how much.

2.2. What is changing?

Every council will have to replace Council Tax Benefit with a new local scheme called Council Tax Support. The government will be giving councils less money to pay for their new schemes. The reduction in funding represents 10% of current Council Tax Benefit subsidised expenditure and will not be increased if the number of people claiming or the council tax charge increases as it is a fixed grant.

Apart from pensioners, who will generally see no change to the amount of financial assistance they currently get towards their council tax bill, everyone currently entitled to council tax benefit will potentially be affected, although Brent's recommended proposal for its new Council Tax Support scheme seeks to protect the most vulnerable from the biggest impacts.

The new scheme will be designed to meet the needs of the local area with Local Authorities being permitted to determine the provisions for their own Council Tax Support scheme. As a result there is the likelihood that Councils have very different schemes in place and therefore with customers having varying levels of entitlement depending upon where they live. However, as previously mentioned, if the local council tax support scheme is not approved by 31st January 2013 then a default scheme will be imposed by the government.

2.3. Proposals

2.3.1. Overview

2.3.2. Government Proposals

The Government has stated that it wishes to protect pensioners in each Local Authorities scheme through the provision of national rules and conditions of eligibility. For all other recipients, there is a requirement to agree local eligibility criteria. This means that for working age people, Councils are required to design their own scheme to provide support with Council Tax.

The Government's proposals have three stated objectives:

- creating the right incentives to get more people into work by ensuring that work always pays,
- protecting the most vulnerable people, and
- delivering fairness to those claiming benefit and to the taxpayer.

Under the existing Council Tax Benefit scheme, the Council generally receives 100 per cent of its expenditure from the Government for the amount of Council Tax Benefit it pays out to local claimants. However, under the new system it will be given a fixed sum by the Government to make support payments. This sum will be at least ten per cent less than the amount that is currently paid out as Council Tax Benefit.

This means that any increases in CTS expenditure during the year, such as an increase in the number of claimants claiming support or an increase in Council Tax levels will need to be funded by the Council in addition to the immediate ten per cent reduction. Consequently, the funding gap is anticipated to amount to £5.2 million for 2013/14. Currently CTB expenditure is growing by £0.5M per annum.

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Each local authority must consult with the GLA and such other persons as they see fit concerning their draft scheme proposals and must make and publish a local CTS scheme by 31st January 2013. If the scheme is not made and published by that date, a default scheme will be imposed on the Council that is broadly based upon the existing Council Tax Benefit scheme. Consequently, should this situation occur, the £5.2M funding gap would need to be met from other means including for example increasing Council Tax levels or reducing other service expenditure.

2.3.3. Brent Proposals

The Government has stated that pensioner claimants shall be protected from the effects of any changes by a national framework that addresses eligibility and amounts.

In relation to claimants of working age, consideration has been given by Brent Council to retaining the existing national Council Tax Benefit provisions albeit within a new local scheme (i.e. making no changes) together with the funding implications that would flow from this. This option would essentially require the Council to find the anticipated savings of between £3.9M and £5.1M from either reserves and / or via the General Fund through Council Tax increases or service reductions elsewhere. As the Council does not hold a level of reserves that would enable it to achieve this and provide a degree of contingency, this option has been discounted. Additionally, reducing the levels of other services provided and / or increasing Council Tax levels have also been discounted due to the level of the financial amount that would be involved at a time when services are already under immense pressure to find cost reductions and the economic climate does not currently lend itself well to Council Tax increases.

Consideration has also been given to mitigating the effects of the potential funding shortfall that would arise from the proposed changes by reviewing the levels of Council Tax discounts and exemptions that are currently applied to vacant properties within the Borough including long term empty homes and second homes. However, this option alone would not fully achieve the levels of financial savings needed to meet the anticipated funding gap indicated above. As a consequence it is proposed that the funding gap be financed mainly from within the Council Tax Support scheme design that is based predominantly upon the existing national Council Tax Benefit scheme but with some changes made as outlined below.

The draft scheme is based on a set of principles, with accompanying technical mechanisms to achieve each principle, and represent a number of variations to the current CTB scheme for working-age claimants. (Pensioners are protected from any changes as per government prescription.) These are as follows:-

Principle 1: Everyone should pay something

Claimants (unless defined as protected) will be required to pay a minimum contribution to their council tax – set in the draft scheme at 20 per cent.

Principle 2: The most vulnerable customers should be protected (from the minimum contribution of 20 per cent)

Claimants will be protected from the 20 per cent minimum contribution if they, their partner or dependants are entitled to a disability premium or enhanced disability premium (normally given where disability living allowance has been awarded) or disabled earnings disregard, or the claimant is in receipt of disabled persons reduction for council tax purposes, war disablement pension or war widow's pension.

Principle 3: The scheme should incentivise work

Incentives to work will be achieved by letting claimants who are working keep more of what they earn (before the benefits means-test is applied). The draft scheme proposes an increase of £10 per week in the amounts that claimants are allowed to keep for single person, couple and single parent earnings (currently set at £5, £10 and £25 respectively).

Principle 4: Everyone in the household should contribute

Currently, when assessing a claimant's entitlement to benefit, other adults in the claimant's home (i.e. non-dependants) are treated as contributing towards the council tax bill resulting in a lower amount of benefit being given. The draft scheme proposes doubling existing levels of these contributions. Additionally for other adults in receipt of job seekers allowance (income based), a charge of £6.60 per week is proposed instead of no charge as at present.

Principle 5: Better off claimants should pay relatively more so that the least well off receive greater protection

The draft scheme proposes to continue to reduce entitlement to help with Council Tax as income / earnings

Appendix D - Impact Needs/Requirement Assessment Completion Form

increase. However, it is proposed that the calculation of this is adjusted so that the rate at which Council Tax Support reduces where weekly income exceeds basic living needs is 30p in every pound rather than the 20p currently applied. This is referred to as the taper; it is currently 20 percent and will become 30 per cent per week under the proposed CTS scheme.

Principle 6: Benefit should not be paid to those with relatively large capital or savings

Our draft scheme proposes £6,000 as the savings limit for CTS - currently this is £16,000 for CTB.

3. Are the aims consistent with the council's Comprehensive Equality Policy?

In the context of the anticipated funding gap and lack of other practical options available to cover the shortfall, it is proposed that the majority of the savings are achieved through designing a Council Tax Support Scheme that incorporates some changes to the existing Council Tax Benefit Scheme provisions.

Each of these changes, outlined above in the six Principles, has been considered in terms of its impact on people with protected characteristics, as well as its impact on the Council's statutory obligation to protect vulnerable groups.

This is aligned to the Council's Equality Policy in particular our commitments to:

"gather and make use of equality information to inform our business priorities and the allocation of resources".

"take steps to address and remove inequality where it is found".

and

"... take steps to tackle inequality where it exists across the borough".

4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

This equality assessment is being undertaken to determine the impact of the new Council Tax Support scheme on the nine protected characteristics; namely age; race; disability; sex; gender reassignment; faith; sexual orientation; maternity and pregnancy

This assessment is intended to identify any impact that may arise on any of the various groups that could be attributed to the proposed Council Tax Support provisions. In this section, we have focused on any specific provisions that could have an impact (either direct or indirect) on each of the protected groups.

Council Tax Benefit is currently available to all groups, regardless of ethnicity, disability, gender or age provided that the eligibility and entitlement conditions are met. However, in line with other income-related benefits, those most in need generally qualify for entitlement. This means that some groups are more likely to be in receipt of Council Tax Benefit at present, as they are less likely to have an income that exceeds their basic living needs. This is because, when calculating a claimant's basic living needs, additional premiums and allowances are to be awarded for disabled customers, customers of pensionable age and families with children when calculating their basic living needs.

The key stakeholders that are directly affected by the proposals include:

- Current Council Tax Benefit Claimants
- Potentially any new Council Tax Support applicants from 1st April 2013 onwards,
- Council Tax Payers

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We currently have a caseload of 35,792 claims for Council Tax Benefit. This comprises 24,604 working age customers and 11,188 pensionable age customers (See Glossary).

The 24,604 working age claimants in receipt of Council Tax Benefit can be further analysed as follows (in terms of their likely characterisation under the proposed Council Tax Support scheme):

- 11,281 Working age 'Passported customers'. (**Passported Customer** - the customer is in receipt of either Job Seekers Allowance (Income Based), Employment and Support Allowance (Income related) or Income Support).
- 9,854 Working age Standard cases or 'Other customers' (**Other Customer** - the customer is either Employed or Self Employed or the customer is neither working nor in receipt of a passported benefit).
- 3,469 Working Age 'Protected customers' (**Protected Group Customer** - the customer's household income includes Disability Living Allowance, War Disablement Pension or a War Widows Pension as outlined in the protected groups definition).

The total number of live Council Tax accounts we currently have is 112,603. Therefore, 31.79% of Council Taxpayers currently receive Council Tax Benefit of which 21.85% are of working age.

According to existing data held on the Council Tax Benefit database, the following protected characteristics have been identified:

4.1. Age Equality

Pensionable age caseload makes up 31.26% of the total caseload. However, they are specifically protected by Government regulations and therefore will generally receive the same amount of support as is available under current Council Tax Benefit rules.

Although not claimants in their own right, there are currently 14,039 working age claims with children under the age of 19 years old resident in the home. Of these, 9885 (i.e. 70%) families have between 1-2 children, 3452 (i.e. 25%) have between 3-4 children and 702 (i.e. 5%) have more than 5 children.

Families with dependent children will receive additional premiums and allowances as part of the entitlement calculation to reflect the additional costs associated with raising children.

Additionally, there will be no impact in relation to those people who claim child benefit as the proposed scheme will fully disregard child benefit as an income,

The current Council Tax Benefit calculation provides a financial incentive to work by disregarding some earned income, making allowances for childcare costs, reducing benefit on a sliding scale as income increases and continuing payment for four weeks after moving into work when there would otherwise be no entitlement.

The working age caseload (aged 18-60) makes up 68.74% of the total caseload and it is this group that will receive less support in order to achieve savings. The Working age caseload comprises of 18-24 year olds (4.74%), 25-34 year olds (20.98%), 35-44 year olds (31.95%), 45-54 year olds (30.72%) and 55-60 year olds (11.62%).

There is some variance in the level of support withdrawn over the age groups when assessed under the new scheme; however, this can be reasonably explained.

One example is that 55-60 year olds are more likely than the other age groups to have reduction in benefit of just £0-£3 per week, the reason for which is that this age group is also more likely to be protected under Principle 2 due to being identified as disabled. Another factor is that this age group are more likely to live in larger properties. For example, 15% live in Band E properties compared to 3% aged 18 - 24 and 6% aged 25 - 34 than the younger age groups.

Another factor identified is that the age groups of 35 and above are more likely than the groups aged under 35 to have a reduction in benefit of £5 or more per week. However, this can be explained by the fact that the higher age groups are more likely to have one or more other adults in their household who, in principle, should be able to contribute to meeting the shortfall (see Principle 4).

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It should also be noted that a significant number of 25-34 year olds could be affected by the recent changes to Housing Benefit legislation from January 2012 when single Housing Benefit claimants aged under 35 had additional restrictions placed on the amount of Housing Benefit they could receive in addition to decreases in council tax support arising from the proposed scheme.

In Brent, the above Housing Benefit changes resulted in an average loss of entitlement of £23.81 per week for claimants in the 25-34 year old group. These changes to Housing Benefit are policy decisions made by central government and not local authorities and therefore this group may be affected by central government restrictions to housing benefit. However, there is no evidence to suggest that this group will be affected more than any other age group when comparing overall changes to the average reduction in entitlement under the proposed council tax support scheme.

For many of the claimants in this age group (most commonly those in receipt of a passported benefit) it will be the first time that they will have to contribute towards their council tax liability; as under the existing national scheme they generally receive a 100% rebate. They do not generally receive any other state benefits besides Job Seeker's Allowance, Income Support or Employment Support Allowance – and all at the lowest rates. They do not receive Disability Living Allowance, Child Benefit or Tax Credits and their applicable amounts and personal allowances are generally lower as children and disability are not often a factor in their basic living needs assessment.

4.2. Disability Equality

The Equality Duty explicitly recognises that a disabled customer's needs may be different to those of non-disabled customers.

One of the main considerations when proposing Council Tax Support scheme has been with regard to additional protections for disabled persons.

Additionally, Brent has given due consideration to its obligations under the Equalities Act within its **Principle 2: The most vulnerable claimants should be protected (from the minimum contribution) proposed for Council Tax Support.**

Within the cases recorded, 14% of working age customers have currently been identified as a protected group that will be protected from the requirement to pay a minimum Council Tax amount of at least 20%.

However, there are additional "passported" claimants whose entitlement to a Disability Premium is effectively "hidden" within their existing DWP Benefit entitlement and therefore not currently known to the Council. These cases will need to be identified and updated in advance of the implementation of a final scheme taking place. However recent sampling of 10% of these cases showed 14% of Income Support cases (753) and 11% (198) of ESA cases were entitled to the disability premium and therefore protection from the minimum contribution in CTS may apply.

4.3. Gender reassignment Equality

No impact on this group – This protected group comprising people considering or undergoing the process of gender reassignment is often one of the hardest groups to reach.

Gender reassignment will not be a factor in the assessment of Council Tax Support in relation to allowances and premium used when assessing entitlement to support. However, it is not possible to comment more fully on the effects of future income received by claimants in this group as this will be dependent upon their income and circumstances at that time which may vary and cannot be predicted with precise certainty.

As much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme, it is anticipated that it will not adversely affect claimants in this group. However, there is not currently sufficient data and evidence available to validate this more fully.

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4.4. Marriage and Civil Partnership Equality

The current council tax benefit scheme recognises married couples and civil partnerships equally and this will continue with the basis of the current scheme in determining eligibility.

Marital or civil partnership status entitles a claimant to the couple personal allowance rate and premiums and as all working age couples are affected by the proposed changes, it is not anticipated that Council Tax Support will adversely affect claimants based upon their marital or civil partnership status.

However, there is not currently sufficient data and evidence to validate this more fully.

4.5. Pregnancy and Maternity Equality

For the purposes of Council Tax Support, pregnancy and maternity are to be considered as two separate characteristics as whilst the claimant is pregnant, premiums and personal allowances are unchanged until the child is born and becomes a member of the claimant's household. At that time, an additional premium and allowance are awarded and child benefit income will be disregarded when calculating income received by the claimant.

Maternity Allowance (MA) is a benefit paid weekly by Jobcentre Plus to pregnant women. Maternity Allowance is paid in the following circumstances:

- The claimant is employed, but not eligible for Statutory Maternity Pay (SMP) from an employer
- The claimant is registered self-employed and paying Class 2 National Insurance Contributions (NICs), or hold a Small Earnings Exception certificate
- The claimant has recently been employed or self-employed

Maternity Allowance can be paid for up to 39 weeks. The qualifying conditions for MA depend on the date the baby is due not the date the baby is actually born. A claimant can only get MA if they cannot get SMP from their employer.

For claimants on JSA (IB), they will move onto Income Support only once the pregnancy is at 29 weeks and then after the birth of the child, the claimant will be in receipt of Income Support and Child Tax Credit.

Pregnancy is not a factor in relation to allowances and premium used when assessing entitlement to support. However, it is not possible to comment more fully on the effects of future income received by claimants in this group as this will be dependent upon their income and circumstances at that time which may vary and cannot be predicted with certainty.

As much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme, it is anticipated that it will not adversely affect claimants in this group. However, there is not currently sufficient data and evidence available to validate this more fully.

4.6. Race Equality

Race is not a factor in the calculation of council tax benefit in the current scheme and will not generally be a factor in the assessment of Council Tax Support as it does not entitle the claimant to a higher allowance or premium.

Where ethnicity is recorded on our database (57.53% of total caseload, 64.12% of working age caseload), 'Asian' customers makes up 14% of our working age customers (9.79% of total caseload), 'Black' customers 25% (17.08%) and 'White' customers 20% (13.61% of total caseload).

A large number of the working age customers (52%) will encompass a reduction of £3-£5 per week of entitlement under CTS. However, The 'Asian' group is more affected with a reduction of £5.00 or more per week under CTS than any other group.

Table 1 shows a total of 6139 claimants are affected by a difference of more than £5.00 per week in

Appendix D - Impact Needs/Requirement Assessment Completion Form

entitlement, of which the 'Asian' Group comprises 1357 claimants which makes up 39% of the 'Asian' group compared to 'Non Asian' group. The non 'Asian' group affected by a reduction of £5.00 or more per week is 4782 customers, which represents 23% of the total working age non 'Asian' group. The composition of the non 'Asian' group is as follows:

1177 (19.25%) of 'Black' group,
 1150 (23.61%) of 'White' group,
 150 (19.87%) 'Mixed' group
 247 (31.87%) Other' Group.
 2058 (23.97) Not Known

Table 1: Analysis of Asian Group compared to non Asian Group with a reduction of more than £5.00 per week in entitlement:

Ethnic Group	Number of claims affected where entitlement is reduced by more than £5.00 per week	Total Working Age Caseload	% of Caseload affected by reduction of more than £5.00 per week
Asian	1357	3505	39%
Non Asian	4782	21099	23%

Table 2 below shows that one reason for this is that Asian families have a greater proportion of dependents (i.e. 22% have 3-4 children per household compared to 10% of the 'white' group). Consequently, they have larger homes and hence more Council Tax to pay for the Valuation Band allocated. For example, 16% of the 'Asian' ethnic group resides in Band E properties compared to 9% 'Black or 10% 'White' ethnic groups.

Table 2: Breakdown of Asian Group compared to non Asian Group with 3-4 dependants per household

Ethnic Group	3-4 Dependants	Total Working Age Caseload	% of Caseload
Asian	779	3505	22%
Non Asian	2673	21099	13%
Totals	3452	24604	14%

Additionally, the Asian group has significantly more adults other than the claimant and partner residing as part of the household (6% 'Asian' households have 2 other adults living as part of the family compared to 3% of any other ethnic group as shown in Table 3. This results in more non dependant charges and a reduction in support entitlement as a consequence. Non dependant deductions are primarily based upon the income and circumstances of a non-dependant with no deduction made where they receive Income Support for example and a higher weekly deduction where they are working and receiving a salary or wages.

Table 3: Breakdown of Asian Group compared to non Asian Group with 2 non-dependants per household

Ethnic Group	2 Non-Dependants per household	Total Working Age Caseload	% of Caseload
Asian	225	3505	6%
Non Asian	673	21099	3%
Totals	898	24604	4%

It has been identified in Table 1 above that the Asian group would be more adversely affected by the proposed scheme with a proportionately higher reduction in entitlement between CTS and CTB. This affects a total of 1357 Asian households. In context this represents 5.52% of the working age population, 3.79% of the total CTB caseload and 1.20% of all council tax payers.

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The principle of the proposed Council Tax Support Scheme to double the existing Council Tax Benefit weekly deduction applied to a claimant's entitlement in certain instances is intended to represent the fact that there is a greater income being received within the household and consequently an expectation that the other adults resident would contribute towards household bills. The proposal to introduce a deduction for non-dependants in receipt of Job Seekers Allowance (Income Based) is intended to support the principle of incentivizing work.

4.7. Religion and Belief Equality

Religion and belief will not generally be a factor in relation to allowances and premiums used when assessing entitlement to support. The exception to this is that a higher applicable amount may be determined for a claimant in a polygamous marriage that may be applicable to certain religions and beliefs.

It is not possible to comment more fully on the future effects of income received by claimants in this group, as this will be dependent upon their income and circumstances at that time which may vary and which cannot be predicated with certainty.

It is anticipated that the proposed Council Tax Support Scheme will not adversely affect anyone based upon religion or belief, as there are currently no claimants identified as being in a polygamous marriage and much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme. However, there is not currently sufficient data and evidence available to validate this more fully.

4.8. Sex Equality

Gender will not be a factor in relation to allowances and premiums used when assessing entitlement to support.

It is not possible to comment more fully on the future effects of income received by claimants in this group, as this will be dependent upon their income and circumstances at that time, which will vary and therefore cannot be predicted with certainty.

Assessment of Council Tax Benefit considers overall household income, rather than distinguishing between male and female recipients of these benefits.

Based on our total caseload, female customers represent 54.14% against male customers representing 45.77%. Of our working age customers, female customer's makes up 56.70% compared to 43.24% male customers.

In case of couples, there are more male customers (where the male is the 'claimant' and the female is on the claim as a 'partner') than female customers with a variance of 26%. The explanation for this may be that in relation to a married couple and couples living together as husband and wife, generally men will complete the application forms and therefore submit their name first as the claimant.

4.9. Sexual Orientation Equality

Sexual orientation will not generally be a factor in relation to allowances and premiums used when assessing entitlement to support.

It is not possible to comment more fully on the effects of future income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot be predicted with certainty.

It is however anticipated that the proposed Council Tax Support Scheme will not adversely affect anyone based upon their sexual orientation and much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme.

However, there is not currently sufficient data and evidence available to validate this more fully.

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Appendix D2 - Equality Strand Analysis which provides a detailed analysis and impact on the nine protected characteristics and identifies any issues/adverse impacts and needs.

5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitative) have you used to form your judgement? Please supply us with the evidence you used to make your judgement separately (by race, gender and disability etc).

The issues/ impacts identified are based on, Council Tax Benefit data, Brent Borough Profile and findings of the nine week public consultation.

5.1. Brent Council Tax Benefit Caseload

The Council Tax Benefit caseload is stored on a database which is used to process and pay Council Tax Benefit claims. Due to the mandatory nature of many of the fields on the database it holds the age and gender of all household members. It also holds whether the claimant is single or living with a partner as a couple and, through the income declared by the claimant (and the resulting Premiums these incomes generate), can determine whether there is a disabled member of the household.

When making a claim for Council Tax Benefit the claimant is given the option of stating their Ethnicity, Faith and Sexual Orientation. When the claimant provides this information it also stored on the database.

- There are currently 35,792 council tax benefit claims. Of these 24,604 are working age customers and 11,188 pensioner age. The council tax support scheme affects the 24,604 working age customers currently in receipt of CTB.
- Of the working age caseload 57% are female and 43% are male.
- Of the working age caseload 74% are single and 26% are living as part of a couple.
- Of the working age caseload 14% have been identified as disabled.
- The database holds Ethnicity data for 64% of the working age caseload.
- The database does not hold enough information regarding claimant's Ethnicity and Sexual Orientation to be statistically relevant.

5.2. Brent Borough Profile

The Brent Borough profile is available on-line. It gives a profile of Brent residents based on estimates provided by the Office of National Statistics (ONS) and the Greater London Authority (GLA).

5.3. Alternative Scheme Considerations

A number of other variations to the current CTB scheme have been investigated and modelled, but rejected for a variety of reasons. In brief, these included:-

5.3.1. Exclude the need for a minimum contribution ("Principle 1") element

Will not make necessary savings as mentioned previously

5.3.2. Options with a higher minimum contribution (e.g. 25% or 30%)

Collection rate will be lower and cost of collection higher; 20% is considered to appear more "reasonable" to the public; claimants will have many other financial pressures from other welfare reforms; and a scheme with high expected non-collection rates could lack basic credibility

5.3.3. Capping entitlement at Council Tax liability level

Would impact on large households, and disproportionately on BME groups; and on those claimants

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potentially already impacted by Housing Benefit caps from 2011/12 and the overall income cap to be introduced from April 2013

5.3.4. Stopping or restricting backdating of claims (currently paid where there is a good reason for a claimant making a late claim)

Produces very small savings, and also impacts on some of the most vulnerable – those least able to handle their own affairs; understand the Benefit system; or otherwise disadvantaged

5.3.5. Limited period awards (e.g. only pay CTS for six months)

Likely to result in a very low Council Tax collection rate for the period after benefit ends, and administratively complex

5.3.6. De minimus rule

To produce reasonable levels of savings, a de minimus of at least £7.50pw would be required (32% of a Band C charge); too crude a mechanism and likely to impact on claimants where other restrictions (e.g. higher taper or non-dependant charges) have already applied

5.3.7. Discretionary scheme element to cover cases of extreme hardship

Would have to be funded by harsher application of the CTS rules elsewhere; also more administratively complex and more likely to lead to inconsistent decisions

5.3.8. Uprate applicable amounts and personal allowances by rate of inflation (CPI) from 2013 onwards

Introduces an inflationary element into scheme design which would need to be funded by harsher application of the scheme elsewhere

5.3.9. Simplify the system of non-dependant charges by having one charge for working non-dependants and one for non-working

The weight of the increased charges falls more on lower income non-dependants than on higher ones – relative to application of the preferred scheme mechanism (doubling existing charges) - and therefore contrary to scheme principles.

6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age regulations/legislation if applicable)

The proposed scheme meets the core elements of the Equalities Act firstly by retaining the provisions in the existing CTB scheme that acknowledges that disabled households often require higher basic living costs. This is achieved through Disability related premiums and allowances as well as disability related incomes being disregarded in the benefit calculation.

In addition, principle 2 of the proposed scheme protects disabled households from the 20 percent minimum contribution most non-disabled claimants will be expected to make towards their Council Tax liability.

The allowances and premiums used in the calculations of all CTS claims recognises that needs and living costs for each household is dependant on the size, age and any special requirements of the household members. This is further demonstrated through incomes such as Child Benefit being fully disregarded in the benefit calculation and the cost of childcare generally being deducted from the claimant and any partner's earnings prior to the benefit calculation.

7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of

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the consultation?

Public consultation on proposals for the Council Tax Support scheme took place between 11th June 2012 and 10th August 2012. This was conducted using a range of medias and approaches including a consultation questionnaire both online and in hard copy format, a series of public meetings, attendance at area and service user forums, email and text correspondence to existing claimants and Council Citizens Panel members, and correspondence and meetings with welfare and advice groups located within the Borough and individuals as requested.

The consultation was widely publicised using a variety of methods including the Brent Magazine that circulates to the majority of households in the Borough, press releases, posters in the public libraries, local customer services offices and advertising hoardings within the Borough as well as leaflets issued to customers and sent with 13,000 Council Tax bills during June.

Community Engagement and Consultation

There are a number of stakeholders within the Borough who may potentially be affected by the CTS scheme proposals. These include but are not limited to:

- Elected Members
- Existing CTB claimants and potential CTS applicants
- Council Tax Payers
- Welfare Advice Groups including Mencap, Advocacy Project, Disablement needs, RNIB, RNID,
- Housing Associations and Landlords
- Citizens Advice Bureau
- GLA
- Brent Council employees and relevant Council services (Housing, BHP and Children and Families in particular)
- Chamber of Commerce

Capita Business Services Ltd, as the Council's contractor for Council Tax collection and enforcement services, were also consulted regarding the proposals

There were 184 consultation questionnaire responses received, comprising 97 online responses (52.7%) and 87 paper responses (47.3%).

There were an estimated 267 residents that attended the Area Consultative Forums during the consultation to hear further details of the proposals and to provide feedback to officers and members.

The results of the consultation process have provided a valuable range of information about what Brent residents feel should be the priorities for the new scheme and, in some cases, alternative suggestions of how the scheme could work.

The consultation report is available in Appendix A of the main report.

Additionally, **Appendix D3** - shows an analysis of an alternative suggestion following the consultation on protecting claimants in receipt of Carers Allowance. Brent proposes to include the protection against Principle 1 for any working age claimant or their partner in receipt of Carers Allowance as part of its proposed Council Tax Support scheme.

8. Have you published the results of the consultation, if so where?

The results of the formal consultation as outlined in Question 7 will be published on the Council's website both on the Council Tax Benefit and Consultation homepages. All forums, citizen panel members and key stakeholders will be notified of the consultation reports.

9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory

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manner?

Comments and views have been expressed by some consultation respondents. Whilst these do not appear to expressly indicate that the service will be discriminatory in its manner, they have provided other options and alternatives for consideration and supporting comments as appropriate.

10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.

It is recognised that there is close correlation between the high density areas of Council Tax Benefit claimants throughout the borough and areas that have been identified as having high levels of deprivation. As the proposed Council Tax Support scheme will result in less financial assistance both for residents who are currently in receipt of Council Tax Benefit and those who may need to claim in the future, it is anticipated that it will have an adverse impact.

However, the proposed scheme can be justified when considering the severely limited options available to the Authority when presented with a need to find up to £5.2m worth of savings to meet the anticipated funding gap.

The proposed scheme has been designed to identify those who would be least able to deal with a reduction in support and protect them from the full effects of the changes where possible. For those not protected the scheme aims to minimise the impact of the reduction of support by fairly distributing the savings throughout the caseload. Other potential means of mitigation have been set out in the Consultation Report at Appendix A.

11. If the impact cannot be justified, how do you intend to deal with it?

N/A

12. What can be done to improve access to/take up of services?

The proposed scheme will have by far the greatest impact on existing claimants of Council Tax Benefit. It is recognised that we already hold a large amount of data concerning exactly who the proposals will affect, to what degree and why. Once a final Council Tax Support scheme is agreed we can undertake a full awareness campaign directly targeted at both groups and individuals affected about what the scheme means for them.

A communications campaign for Welfare Reform, of which localised Council Tax Support is a significant strand, has already commenced. This has included new pages on the Brent website, leaflets, magazine adverts and posters aimed at raising awareness of the possible impacts of Council Tax Support, as well as offering various channels (phone numbers and e-mail addresses) for residents to direct questions and concerns. Once a final Council Tax Support scheme is agreed this campaign can be expanded to further communicate the exact details of the scheme to the wider community, many of whom could be entitled to receive support but had previously been unaware that they could claim.

13. What is the justification for taking these measures?

The Government will abolish the existing Council Tax Benefit scheme from April 2013. Every Council is required to replace it with its own local Council Tax Support scheme. However, the funding for the new schemes is significantly reduced as all boroughs will receive a fixed grant of just 90% of their current Council Tax Benefit expenditure, which in Brent equates to £5.2m loss of funding for 2013/14.

Any Authority that fails to devise and publish its own scheme before January 2013 will have a default

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scheme imposed upon them by central government. In essence the default scheme will have the same rules as the existing Council Tax Benefit scheme, resulting in a similar level of expenditure, which, taking in to account the new financing model, would leave Brent with a £5.2m funding gap for the first year.

Failure to take these measures means that up to £5.2m representing the anticipated funding gap would need to be found either from reserves and/or via the General Fund through Council Tax increases or service reductions elsewhere.

Given that one of the scheme objectives is to incentivise work, the provisions in the proposed scheme to protect the most vulnerable, as well as the strong financial pressure to introduce the scheme and the need to bridge the anticipated funding gap, officers consider that the adverse effects on some groups is justifiable in the circumstances.

14. Please provide us with separate evidence of how you intend to monitor in the future. Please give the name of the person who will be responsible for this on the front page.

There is a legal obligation to formally review the new scheme on an annual basis. The review will be carried out in relation to the equalities analysis process.

Throughout the year the scheme will be monitored via management reports that show how, and to what extent, each individual claimant and their household has been impacted. These reports will be analysed to identify any groups of people that are disproportionately affected by the changes.

The information gathered from this monitoring will be used to inform any changes required to the scheme before the second year (April 2014). Furthermore any significant changes proposed would be consulted on prior to implementation.

15. What are your recommendations based on the conclusions and comments of this assessment?

The vast majority of Council Tax Benefit claimants, across a wide range of groups, will see a reduction in the amount of support they receive under the new scheme. Close monitoring of the entire caseload will be essential to identify any unforeseen adverse effects on any particular groups.

Existing claimants that have been identified as being most impacted by the scheme should be contacted directly, and at the earliest practical opportunity so that they understand the changes and have time to prepare for them.

Proactive steps need to be taken to raise general awareness of the new scheme across the borough. Early communication of the changes to all groups will be vital in mitigating the impact by giving all residents the chance to seek support and advice in advance.

Should you:

1. Take any immediate action?
2. Develop equality objectives and targets based on the conclusions?
3. Carry out further research?

16. If equality objectives and targets need to be developed, please list them here.

There is no immediate action proposed from the above although existing claimants will be contacted once the localised Council Tax Support Scheme has been made by the Council to make them aware of the changes and to enable them to make any appropriate advance arrangements.

The key objectives from this assessment are as follows:

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1. To monitor and review any potential adverse impact on any of the protected groups and to consider any appropriate changes that may need to be made to the scheme in the second year as a consequence.
2. To review the localised Council Tax Support Scheme and to consider and incorporate where reasonably practicable any changes identified from objective 1 above when the scheme is reviewed.

17. What will your resource allocation for action comprise of?

The scheme will be subject to monitoring and review by Brent Customer Services Management Team as a key function of their operational responsibilities.

If you need more space for any of your answers please continue on a separate sheet

Signed by the manager undertaking the assessment: David Oates

Full name (in capitals please): DAVID OATES

Date: 24th September 2012

Service Area and position in the council: Head of Benefits

Details of others involved in the assessment - auditing team/peer review: Bhavna Pattni, Elizabeth Bryan, Neil Gann

Once you have completed this form, please take a copy and send it to: **The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD**

Appendix D1 – Council Tax Benefit Background

a) Who has to pay Council Tax?

Council Tax is a charge which is usually paid by the occupants of a domestic property. The full tax assumes that there are at least two adults living in the property. If there is only one occupant in the home, they may be eligible for a discount. The tax is also paid by the property owner where the property is unoccupied and no relief is applicable.

b) What is Council Tax Benefit?

Council Tax Benefit is the means by which people on low incomes are helped to discharge their local tax liability. It is administered by local councils using rules set nationally by the government. No money is paid to the claimant. Instead, their Council Tax bill is reduced by the amount of their benefit.

c) Who can get Council Tax Benefit currently?

Help with Council Tax bills is available through a non-contributory, income-related social security benefit. Essentially the benefit is a reduction in the Council Tax bill rather than a payment to a customer. Main Council Tax Benefit, which can be up to 100% rebate of the Council Tax, is based on the financial circumstances of the person liable for the Council Tax. In addition, alternative Council Tax Benefit (also commonly known as Second Adult Rebate), reduces the Council Tax bill by up to 25% (or up to 100% for students) and is based on the financial circumstances of the second adult who shares the home of someone liable for the Council Tax.

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Appendix D2 - Equality Strand Analysis for Brent's proposed Council Tax Support scheme

Introduction

This equality assessment has been undertaken to determine the impact of a new Council Tax Support scheme to replace Council Tax Benefit from April 2013. The assessment is based upon the nine protected characteristics namely age; race; disability; gender; faith, sexuality, marriage and civil partnerships, maternity and pregnancy.

The key stakeholders considered directly affected by the proposals are –

- Current Council Tax Benefit Claimants and
- Potentially any new council tax support claimants
- Council tax payers

Brent statistics

The population for the London Borough of Brent was 263,500 in the 2001 Census.

The 2011 Census population estimate for Brent equates to 311,200. The population between 2001 and 2011 changed significantly and represents an increase of approximately 18 per cent.

In terms of gender breakdown, the 2001 Census shows that the number of males in Brent was 127,800 and the number of females was 135,700. The 2011 results show an increase in the number of males to 156,500. The total number of females in Brent has increased to 154,800.

The 2011 Census shows that there were 110,300 households in Brent with at least one resident.

Population Density

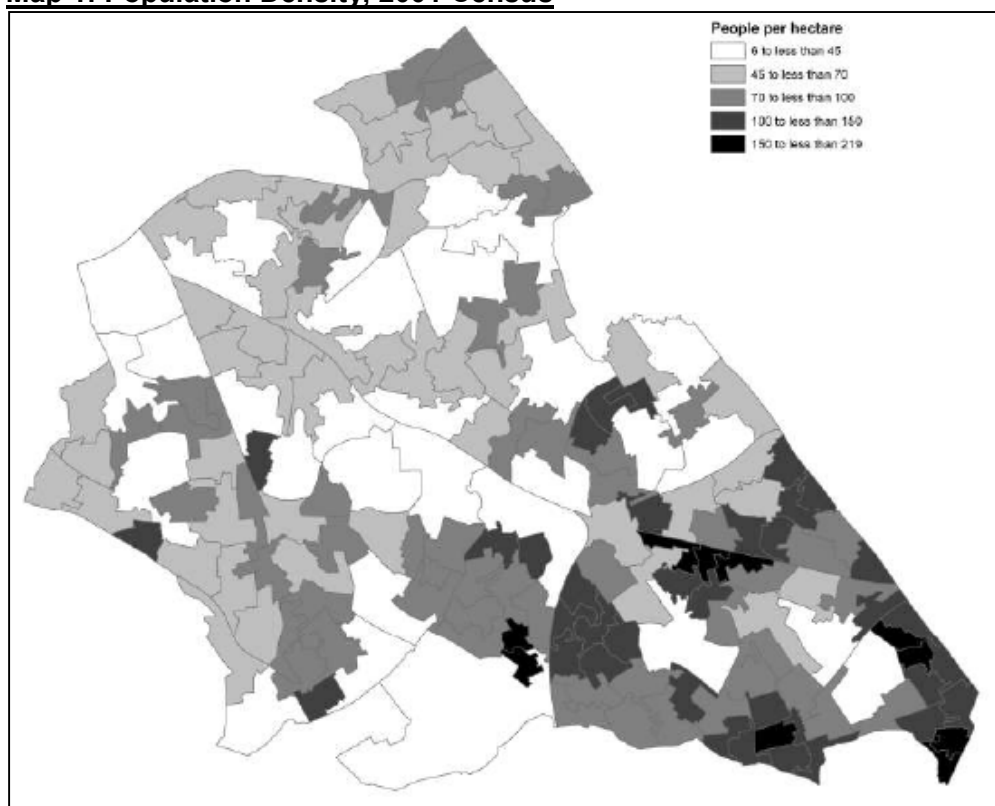
Brent is one of the most densely populated Outer London Boroughs. The average density is 61 persons per hectare (PPH), with the highest rates in the south east of the borough.

Brent is the 15th largest borough in London, with an area of 4,323 hectares (43 square km's) and a population of 263,464 in 2001. With an average density of 61 people per hectare (PPH) in 2001, it is well above the London and Outer London averages of 46 and 35 PPH respectively)¹.

¹ 2001 Census,

<http://intranet.brent.gov.uk/demographic.nsf/97adad6ff206607c8025663c0065c536/1444fe88cc2376cd80256cd8003abd8!OpenD>
document

Map 1: Population Density, 2001 Census



Population				
Year	Males	Females	Total	2001 population results from the most recent 2001 Census
2001	127806	135658	263464	

Area
Size = 4325 Hectares
Density = 60.9 persons/hectare

Age Structure					
Age	Males	Females	Total	%	'PA' pensionable age ie. 60 or over for women and 65 or over for men'
0 - 4	8145	8150	16295	6.2	
5 - 14	16414	16148	32562	12.4	
15 - 24	19596	19273	38869	14.7	
25 - 44	45148	48477	93625	35.5	
45 - PA	25059	21076	46135	17.5	
Over PA	13442	22535	35977	13.6	
75+	4742	7830	12572	4.7	
85+	976	2435	3411	1.3	

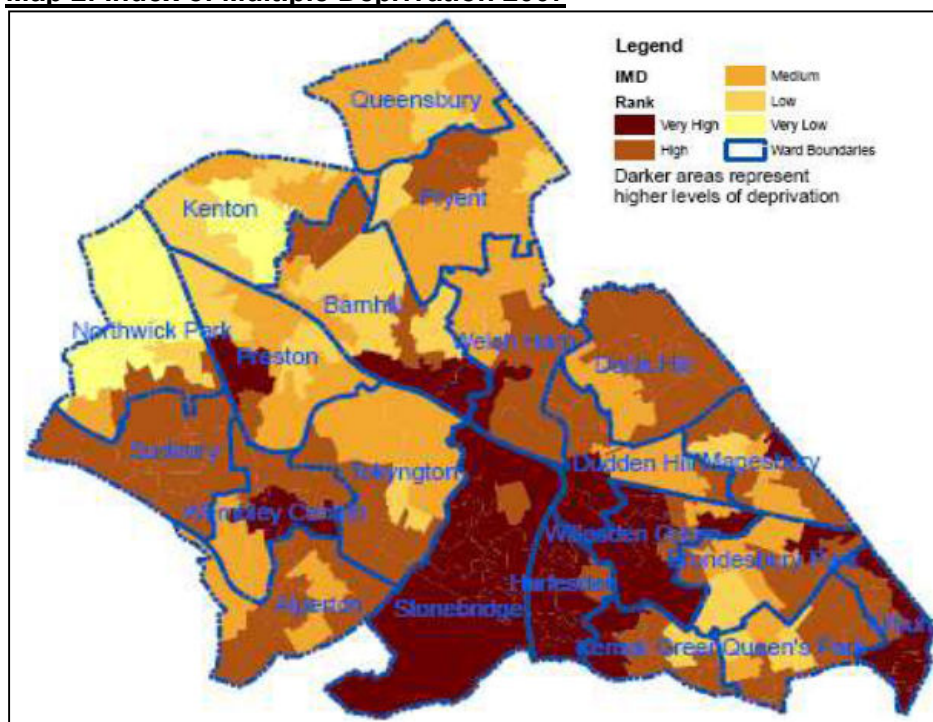
Deprivation²

The economic downturn and resulting reductions in public spending means Brent now faces very different challenges

Whilst many of Brent's residents are affluent, parts of the borough continue to experience high levels of deprivation.

- Brent is ranked 53rd out of 354 Local Authorities in the Index of Multiple Deprivation (IMD) 2007 (1= Most Deprived, 354 = Least Deprived).
- This is a drop of 28 places from our position of 81 in 2004. This moves us from being within the 25% most deprived local authorities in the country to be within the 15% most deprived.
- Brent is the most deprived borough compared with our west London neighbours.
- **Increasing levels of deprivation in Brent's is visible 19 of the 21 wards.**
- Only Harlesden and Queen's Park wards have become less deprived compared to respective IMD levels in 2004. These wards were already experiencing high levels of deprivation.
- Deprivation levels in the south of the borough have increased, in particular the areas of Willesden Green, Dollis Hill and Dudden Hill.
- New pockets of deprivation have appeared in the north of the Borough in historically affluent areas of Preston, Kenton, Queensbury and south of Barnhill have all become more deprived.

Map 2: Index of Multiple Deprivation 2007



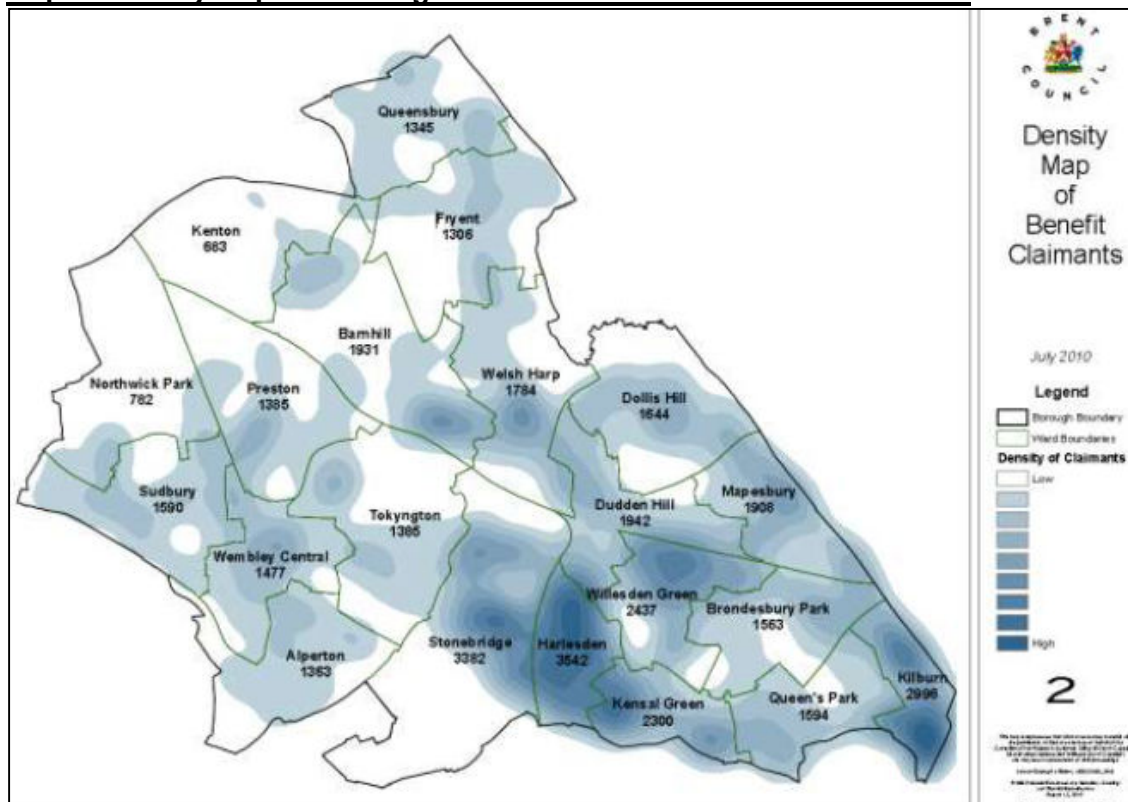
² Brent Borough Profile

<http://www.brent.gov.uk/evidencebase.nsf/Pages/LBB-2>

However, our Benefits data indicates that most of our Council Tax Benefit recipients in the south of the borough are currently in areas of:

- Harlesden (3362 (9.40%) Total CTB claimants, 2600 (10.57%) Working Age CTB claimants),
- Stonebridge (3284 (9.18%) Total CTB claimants, 2312 (9.40%) Working Age CTB claimants) and
- Kilburn (2776 (7.76%) Total CTB claimants, 1940 (7.88%) Working Age CTB claimants).

Map 3: Density Map of Housing and Council Tax benefit claimants 2010



Comparing maps 2 and 3 above shows a close correlation between the density of benefit claimants and areas of higher deprivation. Because the savings under the proposed scheme are achieved through reductions in the amount of support paid, the effects of the reductions will generally be greater in the areas of higher deprivation where there is a higher incidence of claims.

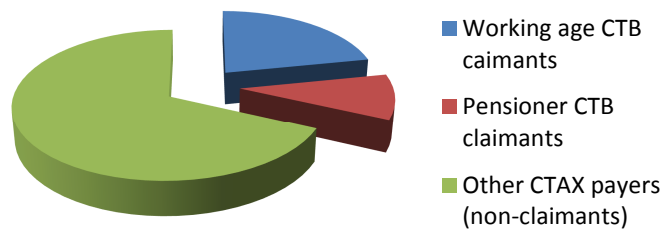
Migration

- Brent has very high levels of migration into the borough compared to the rest of London.
- Brent has the second highest number of people born outside of the UK.
- Brent has a high inflow of migration at 9100 in 2007/08; this was the sixth highest in London.

Council Tax Benefit Caseload

In total, there are 112,603 properties within Brent with a Council Tax liability (April 2012 figures); consequently, 31.79% of Brent receives Council Tax Benefit. The 31.79% is split between Pensioner age (9.94%) and working age (21.85%) customers.

Brent currently has a caseload of 35,792 claims for Council Tax Benefit; made up of 24,604 (68.74%) working age customers and 11,188 (31.26%) pensioner age customers (Under the current Council Tax Benefit regulations a person becomes eligible for pensioner-related Council Tax Benefit at the age at which they can qualify for State Pension Credit (the pensionable age for a woman). From April 2013, the qualifying age will be 61).



The working age caseload of 24,604 claims may be further split into three categories:

- 11,281 (31.52%) Working age - passported claims
- 9,854 Working age (27.53%) - other income claims
- 3,469 Working Age (9.69%) - Protected claims (see glossary)

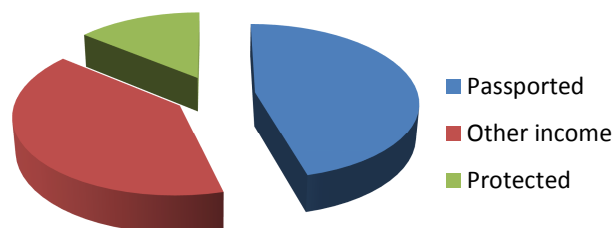


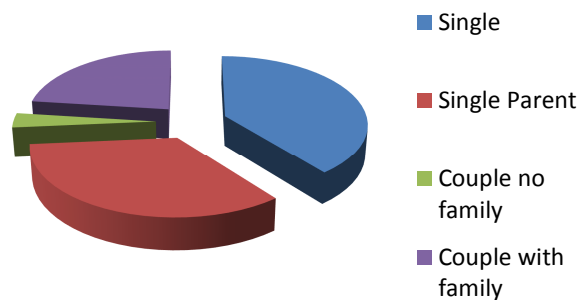
Table 1 gives an analysis of households currently receiving Council Tax Benefit (April 2012 figures) and the reduced amount each group will receive under the proposed scheme (CTS).

Table 1:

Type of Customer	Number of Cases	% of Total Cases	Yearly CTB (£) Total for type of customer	Yearly CTS (£) Total proposed for caseload Type
Pensioner Cases	11188	31.26%	£11,516,734	£11,514,942
Working Age - Passported Cases	11281	31.52%	£11,366,629	£8,843,199
Single	5018	14.02%	£4,495,730	£3,480,983
Single Parent	4803	13.42%	£4,980,414	£3,909,465
Couple no family	282	0.79%	£322,180	£222,733
Couple with family	1178	3.29%	£1,568,305	£1,230,018
Working Age - Protected Cases	3469	9.69%	£3,624,826	£3,496,473
Single	2039	5.70%	£1,898,262	£1,841,585
Single Parent	534	1.49%	£590,911	£580,600
Couple no family	264	0.73%	£311,117	£286,125
Couple with family	634	1.77%	£824,536	£788,163
Working Age - Other Cases	9854	27.53%	£8,711,415	£6,055,501
Single - Working	1871	5.23%	£1,209,782	£834,527
Single - Other	746	2.08%	£647,045	£455,920
Single Parent - Working	2687	7.51%	£2,078,674	£1,415,113
Single Parent - Not working	412	1.15%	£379,497	£260,378
Couple no family - Working	264	0.74%	£227,955	£140,791
Couple no family - Not Working	26	0.07%	£27,716	£19,194
Couple with family - Working	3700	10.34%	£3,960,769	£2,798,602
Couple with family - Not Working	148	0.41%	£179,977	£130,976

Of the working age customers shown above in **Table 1**:

- 39% are Single customers
- 34% are Single parents
- 23% are Couples with children
- 4% are couples without children



1. Age Equality

The Equality Act defines *age* as a protected characteristic in terms of both being of a specific age i.e. 31 year olds and belonging to a group of people defined by a range of ages i.e. people over the age of 61. The Council Tax Support scheme has made due consideration to age in terms of age ranges as there is no specific change or rule proposed that will impact upon anyone of a particular age.

The scheme is subject to some national prescription relating to protecting pensioners' entitlements and therefore there is no discretion but to follow this principle. The Government stated in their "Localising Council Tax – EIA" in January 2012 that...

"The Government has considered the situation for low income pensioners who would currently be eligible for support with their council tax bill. Unlike most other groups, pensioners cannot be expected to seek paid employment to increase their income. The Government therefore proposes that as a vulnerable group, low income pensioners should be protected from any reduction in support as a result of this reform".

Age - Pensioners aged 61+

The Government is committed to protecting pensioners on low incomes and therefore will prescribe a scheme for pensioners through legislation. Under the current Council Tax Benefit regulations a person becomes eligible for pensioner-related Council Tax Benefit at the age at which they can qualify for State Pension Credit (the pensionable age for a woman). From April 2013, the qualifying age will be 61.

This means that pensioners nationally as well as in Brent will generally not see any reduction in their Council Tax Support in comparison with their current levels of Council Tax Benefit. Pensioners will still be entitled to claim up to 100% of their Council Tax liability as a benefit.

The Government's intentions behind its policy decision was that the pensioners cannot be expected to find work in order to increase their income and that all other key changes have been made with the intention of reducing the overall reduction in benefits for working age people.

Chart A: Council Tax Benefit recipients by age against Borough average:

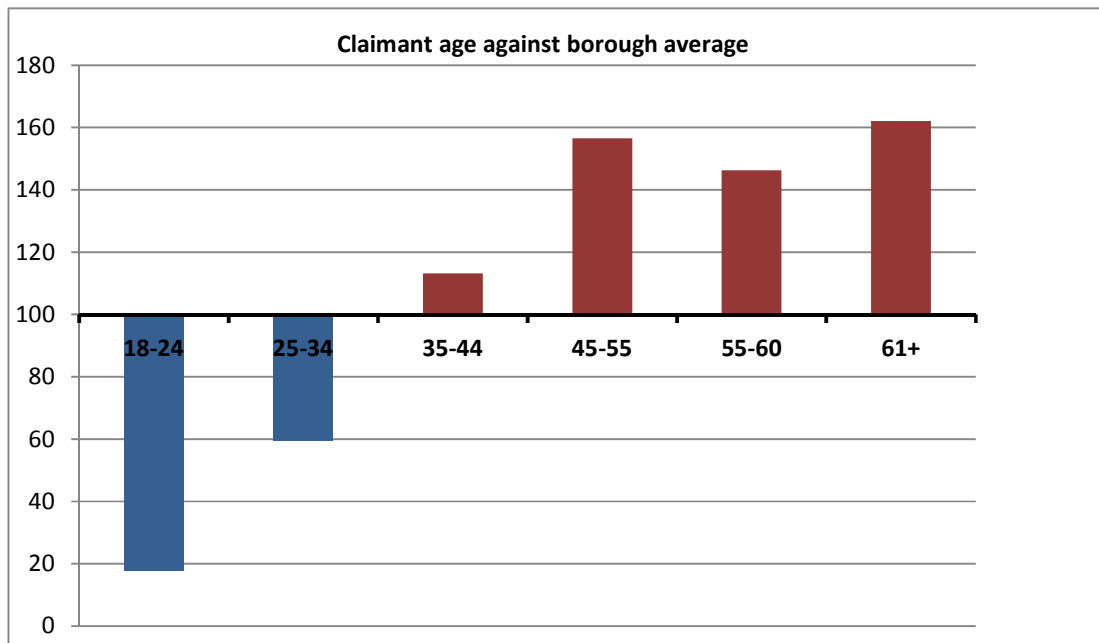


Chart A above shows a comparison of the Benefits caseload data for age against the borough average based upon census data. Any age group above the borough average (i.e. 100) represents a greater number of existing CTB claimants than there are people in that age group for Brent as a whole.

For example, age group 35-44 represents 22% of the CTB caseload but only 15% of the Brent population, whilst pensionable aged claimants represent 31% of the CTB caseload but make up only 17% of Brent's population.

Because entitlement to Council Tax Benefit is only available from the age of 18, the age group 18 – 24 should be considered with caution (as the total Brent statistic covers ages 0-24 and is therefore not directly comparable).

Those aged 25 - 34 represents 14% of the CTB caseload but comprises 18% of Brent residents. This can be explained as follows:

When considering that many residents in this age group are likely to still be living with family or occupying rooms in a multiple occupancy property, their parents or relatives in the case of family and landlord in the case of a room will generally be liable for payment of Council Tax. Recent ONS reports appear to suggest this is a national trend.

Age - People between 18 and 60

As a whole, working age claimants of Council Tax Support will see a reduction in Council Tax Support in comparison to their current levels of Council Tax Benefit of approximately 20%.

Table 2 below shows the breakdown of Council Tax Benefit recipients by age and caseload type. The Benefits service has the age of the customer recorded against all its 35,792 caseload. The working age caseload currently represents 68.74% of this total and pension age caseload represents 31.26% of our total.

The smaller proportion of claimants aged under 25 receiving Council Tax Benefit compared with those aged between 25 to 54 can be partially explained by the fact that relatively more of them are either living at home or sharing rental accommodation. This has been stated by ONS in recent reports on the same subject.

Table 2: Breakdown of Council Tax Benefit recipients by age and caseload type:

Age of Customer	Working Age Passported		Working Age Other		Working Age Vulnerable		Grand Total
18-24	805	69%	318	27%	43	4%	1,166
25-34	2,585	50%	2,251	44%	326	6%	5,162
35-44	3,318	42%	3,728	47%	814	10%	7,860
45-54	3,305	44%	2,821	37%	1,432	19%	7,558
55-60	1,268	44%	736	26%	854	30%	2,858
Grand Total	11,281	46%	9,854	40%	3,469	14%	24,604

We have identified that 14% of working age (vulnerable) claimants will be protected against principle 1 of making a minimum 20% contribution towards their Council Tax.

In the above table, any age group with a corresponding vulnerable percentage higher than the average 14% is more likely to be protected (and visa versa). For example, age group 55-60 has a 30% likelihood of being protected, in contrast to age group 18-24 which has just a 4% likelihood of being protected. This variance can be explained by the increased incidence of entitlement to benefits such as Disability Living Allowance and receipt of war pensions by claimants in this age group than in the younger age groups.

It should be noted that the number of customers currently identified as vulnerable, and therefore protected under principle 1 of the proposed scheme, is anticipated to increase by approximately 950 thus increasing the total proportion protected from 14% to 18%.

These claims are currently 'hidden' within the passported group for which benefits such as Disability Living Allowance are not routinely recorded at present as they do not generally affect entitlement.

Table 3 below shows a more detailed breakdown of how much more a claimant may need to pay towards their Council Tax under the proposed scheme. Claimants aged 55-60 are more likely to have a difference in their entitlement of £8.00 - £30.00 per

week than the younger age groups. For example, in the £8 - £15 category they have an 11% likelihood of being affected rather than the 6% average.

Table 3: Breakdown of Council Tax Benefit recipients by age and difference in entitlement

Age of Customer	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Total
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	
18-24	208	18%	886	76%	63	5%	9	1%	0	0%	0	0.00%	1166
25-34	1011	20%	3385	66%	608	12%	129	2%	29	1%	0	0.00%	5162
35-44	1605	20%	4217	54%	1582	20%	387	5%	66	1%	3	0.04%	7860
45-54	1920	25%	3271	43%	1594	21%	624	8%	143	2%	6	0.08%	7558
55-60	906	32%	1056	37%	489	17%	310	11%	97	3%	0	0.00%	2858
Total	5650	23%	12815	52%	4336	18%	1459	6%	335	1%	9	0.04%	24604

One factor for this variance is because claimants aged 55 - 60 are more likely to live in larger properties than the younger age groups. For example, **Table 4** below indicates that 15% live in Band E properties compared to 3% for those aged 18 - 24 and 6% for those aged 25 - 34.

Table 4: Breakdown of Council Tax Benefit recipients by age and Council Tax Band:

Age Group	Council Tax Band																Grand Total
	A		B		C		D		E		F		G		H		
18-24	74	6%	318	27%	588	50%	148	13%	34	3%	3	0%	1	0%		0%	1166
25-34	278	5%	1015	20%	2493	48%	1033	20%	301	6%	36	1%	6	0%		0%	5162
35-44	408	5%	1280	16%	3118	40%	2007	26%	904	12%	116	1%	27	0%		0%	7860
45-55	331	4%	1252	17%	2521	33%	2079	28%	1141	15%	187	2%	44	1%	3	0%	7558
55-60	108	4%	490	17%	901	32%	842	29%	427	15%	74	3%	16	1%		0%	2858
Grand Total	1199	5%	4355	18%	9621	39%	6109	25%	2807	11%	416	2%	94	0%	3	0%	24604

The most common reduction in entitlement is the £3 - £5 group which contains more than half of the working age caseload (52%) and arises predominantly from the effects of principle 1 in the proposed scheme that a claimant should pay 20% towards their Council Tax unless protected. Those most affected by a reduction in entitlement of between £3 and £5 are in the 18 - 24 age group (i.e. 76%). This is because this age group is less likely to receive protection under the proposed scheme as they are less likely to be in receipt of Disability Living Allowance for example and more likely to be in receipt of a passported benefit such as Job Seekers Allowance (Income Based). Table 4a below demonstrates this point with approximately 74%, 76% and 70% in the age categories 18 to 24, 25 to 34 and 35 to 44 respectively.

Table 4a – Analysis of Council tax Benefits receiving Job Seekers Allowance (Income Based) by age category

Claimants in receipt of JSA (IB)											
Age Group	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		Grand Total
18-24	49	23.11%	157	74.06%	6	2.83%		0.00%		0.00%	212
25-34	146	17.72%	627	76.09%	47	5.70%	2	0.24%	2	0.24%	824
35-44	194	15.38%	895	70.98%	148	11.74%	22	1.74%	2	0.16%	1261
45-55	164	12.20%	852	63.39%	233	17.34%	76	5.65%	19	1.41%	1344
55-60	36	9.11%	246	62.28%	65	16.46%	30	7.59%	18	4.56%	395
Grand Total	589	14.59%	2777	68.81%	499	12.36%	130	3.22%	41	1.02%	4036

As a claimant's age increases, the likelihood of a reduction in entitlement of £3 to £5 per week decreases (with just 37% of 55 - 60 year olds affected by this reduction amount). This variance can be explained by younger claimants being less affected by Principle 4 of the proposed scheme as they are less likely to have non-dependants living with them than older claimants who may have adult sons and daughters still residing with them. **Table 5** below shows that where there are 2 non-dependants living with a claimant for example, the claimants in the 55 – 60 age group represent a greater proportion (i.e. 9%) compared to 0.25% of those in the 18 – 24 age group.

Table 5: Breakdown of Council Tax Benefit recipients by age and number of Non – Dependants in the home:

Age Group	Number of Non Dependants in a claimants home												Grand Total
	0		1		2		3		4		5		
18-24	1142	97.94%	20	1.72%	3	0.26%	1	0.09%	0	0.00%	0	0.00%	1166
25-34	4987	96.61%	154	2.98%	16	0.31%	4	0.08%	1	0.02%	0	0.00%	5162
35-44	6977	88.77%	743	9.45%	117	1.49%	22	0.28%	1	0.01%	0	0.00%	7860
45-55	5350	70.79%	1563	20.68%	496	6.56%	121	1.60%	26	0.34%	2	0.03%	7558
55-60	1805	63.16%	692	24.21%	266	9.31%	74	2.59%	19	0.66%	2	0.07%	2858
Grand Total	20261	82.35%	3172	12.89%	898	3.65%	222	0.90%	47	0.19%	4	0.02%	24604

In **Table 6** below and also of note is that the 55 - 60 year old age group makes up 32% of the £0 - £3 reduction in entitlement category. This can be explained by referring back to **Table 2** above which indicates that 30% of 55 - 60 year olds are protected from Principle 1 (making a minimum 20% contribution to their Council Tax).

Table 6: Breakdown of Council Tax Benefit recipients by age and difference in entitlement:

Age of Customer	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Total
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	
18-24	208	18%	886	76%	63	5%	9	1%	0	0%	0	0.00%	1166
25-34	1011	20%	3385	66%	608	12%	129	2%	29	1%	0	0.00%	5162
35-44	1605	20%	4217	54%	1582	20%	387	5%	66	1%	3	0.04%	7860
45-54	1920	25%	3271	43%	1594	21%	624	8%	143	2%	6	0.08%	7558
55-60	906	32%	1056	37%	489	17%	310	11%	97	3%	0	0.00%	2858
Total	5650	23%	12815	52%	4336	18%	1459	6%	335	1%	9	0.04%	24604

Table 7 below shows that 2,003 (i.e. 8.14% of the total working age caseload) Council Tax Benefit recipients will no longer qualify for any entitlement under Council Tax Support. Customers aged 45 - 54 (i.e. 33%) and claimants aged 55 - 60 (i.e. 31%) are most affected by not qualifying for any Council Tax Support than other age groups. This can be partially explained by the fact that that the youngest age group (18 - 24) are the most likely to be on a passported benefit (and therefore not affected by Principle 5 concerning the taper), and the least likely to have a non-dependant living with them as shown in **Table 5** above (and therefore not affected by Principle 4 regarding non-dependant deductions), whilst the oldest age group (55 - 60) are by far the likeliest to be in the 'vulnerable' group (and are therefore supported by Principle 2).

Table 7: Breakdown of Council Tax Benefit recipients by Age and total loss of entitlement (resulting in a nil entitlement) under CTS:

Age Group	Amount of CTB entitlement not available under CTS per week												Grand Total
	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		
18-24	14	32.56%	11	25.58%	11	25.58%	7	16.28%	0	0.00%	0	0.00%	43
25-34	77	21.88%	91	25.85%	115	32.67%	52	14.77%	17	4.83%	0	0.00%	352
35-44	97	15.54%	158	25.32%	188	30.13%	132	21.15%	46	7.37%	3	0.48%	624
45-54	77	11.72%	167	25.42%	169	25.72%	183	27.85%	55	8.37%	6	0.91%	657
55-60	37	11.31%	56	17.13%	82	25.08%	113	34.56%	39	11.93%	0	0.00%	327
Grand Total	302	15.08%	483	24.11%	565	28.21%	487	24.31%	157	7.84%	9	0.45%	2003

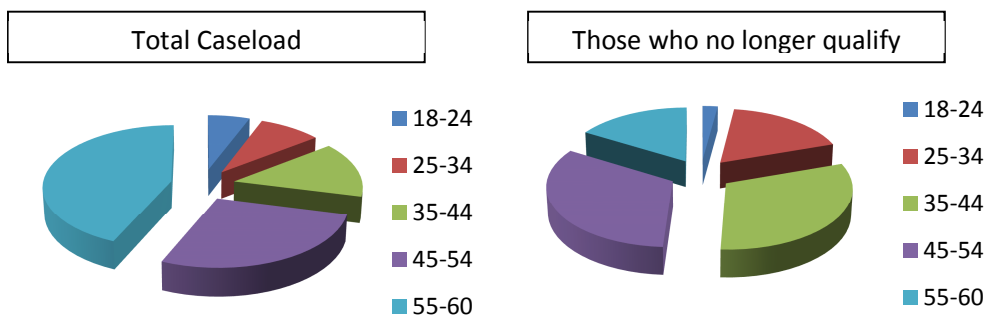


Table 7 above provides a breakdown of these customers according to their age

Age – People between 18 and 34

Changes to Housing Benefit legislation in January 2012 affected Housing Benefit claimants aged under 35. From January 2012, single claimants without children or a disability, under the age of 35, were restricted to a shared-accommodation Local Housing Allowance rate. Previously this applied solely to claimants aged under 25, but the increase to age 34 resulted in an average Housing Benefit reduction of £23.81 per week for those affected.

Many of the 18 - 34 year old age category already affected by the above change will be affected by the Council Tax Support Scheme proposals by an average 20% reduction in the amount of Council Tax Support they will receive.

For many of these claimants (most commonly those in receipt of a passported benefit) it will be the first time that they will have to contribute towards their council tax liability; as under the existing national scheme they generally receive a 100% rebate.

The two age groups in this category (i.e. 18 to 24 and 25 to 34) often receive the lowest amount of Housing Benefit and do not receive state benefits other than Job Seeker’s Allowance, Income Support or Employment Support Allowance – and all at the lowest rates. They do not receive Disability Living Allowance, Child Benefit or Tax Credits and their applicable amounts and personal allowances are generally lower as children and disability are not often a factor in their basic living needs assessment.

Our Housing Benefit caseload currently identifies 1233 claimants affected by changes to the new Under 35 rules for Housing Benefit up to 31st December 2012. These claimants have already been contacted in writing to discuss and consider alternative options available and to minimize any potential for homelessness that may arise as a result of these HB changes.

Table 8 below gives a breakdown of Council Tax Benefit recipients who are single and aged between 18 and 34 years old that may be affected by both the above Housing

Benefit changes and the Shared Accommodation Rate of Local Housing Allowance and the implementation of Council Tax Support.

Table 8: Breakdown of single Council Tax Benefit recipients aged between 18-34 and difference in entitlement:

Caseload Type	Difference of Council Tax Benefit and Council Tax Support per week										Grand Total
	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		
Working Age Passported	240	22%	820	76%	19	2%	4	0%	2	0%	1085
Working Age Other	285	44%	292	45%	48	7%	22	3%	3	0%	650
Working Age Vulnerable	222	99%	2	1%	0	0%	1	0%	0	0%	225
Grand Total	747	38%	1114	57%	67	3%	27	1%	5	0%	1960

Of the single claimants aged 18 - 34, **Table 9** below shows that 63 of them will not be entitled to any financial support under Council Tax Support and 27 (42.86%) will lose £3 or less in their weekly entitlement.

Table 9: Breakdown of single Council Tax Benefit recipients aged between 18 - 34 and difference in entitlement:

Age Group	£0-£3		£3-£5		£5-£8		£8-£15		£15+		Grand Total
18-24	5	29.41%	5	29.41%	3	17.65%	4	23.53%	0	0.00%	17
25-34	22	47.83%	9	19.57%	5	10.87%	3	6.52%	7	15.22%	46
Grand Total	27	42.86%	14	22.22%	8	12.70%	7	11.11%	7	11.11%	63

Age – under 18

The minimum age for receiving Council Tax Support (and being liable to pay Council Tax) is 18; therefore people under the age of 18 will not be affected directly by the proposed Council Tax Support Scheme.

An indirect effect has been considered as people under the age of 18 are included as part of a claimant's household and the Council has obligations to consider under the Child Poverty Act 2010.

The proposed Council Tax Support Scheme will incorporate the majority of the current Council Tax Benefit assessment rules including the use of premiums and personal allowances.

The personal allowances and premiums currently used to calculate Council Tax Benefit are the amounts deemed necessary to provide for basic living needs based upon

household composition and disability. These allowances and premiums already take the claimant's circumstances into account and mean that they are awarded more benefit if they have dependents under the age of 18.

For example, a single person aged over 25 is deemed to have weekly needs of £71 to cover their basic living costs. This is increased to £218.38 for a lone parent with two children, which leads to a more generous assessment of benefit.

The proposed Council Tax Support scheme will provide a disregard of Child Benefit in income calculations which means that the income that Child Benefit provides will not reduce the amount of Council Tax Support that a claimant receives. Providing a system of allowances and premiums will give additional protection for households with children or dependents under the age of 19. Child care disregards of up to £175 per week for one child and £300 per week for two or more children where the claimant or a partner works 16 hours or more per week may also be given where qualifying conditions are met.

Table 10 below indicates that there are currently 14,039 working age claims with children under the age of 19 years old resident in the home. Of these, 9885 (i.e. 70%) families have between 1 - 2 children, 3452 (i.e. 25%) have between 3 - 4 children and 702 (i.e. 5%) have more than 5 children.

Table 10: Breakdown of Council Tax Benefit recipients with dependents and difference in entitlement:

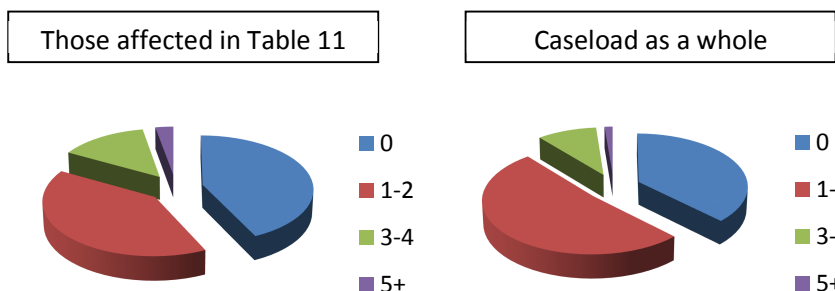
Number of Dependents	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	
1-2	1304	13.19%	5741	58.08%	2002	20.25%	707	7.15%	128	1.29%	3	0.03%	9885
3-4	356	10.31%	1702	49.30%	1130	32.73%	207	6.00%	52	1.51%	5	0.14%	3452
5+	59	8.40%	250	35.61%	336	47.86%	45	6.41%	11	1.57%	1	0.14%	702
Grand Total	1719	12.24%	7693	54.80%	3468	24.70%	959	6.83%	191	1.36%	9	0.06%	14039

It has been identified that 2,003 Council Tax recipients will not qualify for any entitlement under Council Tax Support. **Table 11** below provides an analysis of claimants according to their age and the number of children per claim.

Table 11: Breakdown of Council Tax Benefit recipients not entitled to CTS based on age and number of children per household:

Age Group	Number of children per household								
	0		1 to 2		3 to 4		5+		Grand Total
18-24	18	42%	25	58%	0	0%	0	0%	43
25-34	59	17%	251	71%	40	11%	2	1%	352
35-44	116	19%	400	64%	92	15%	16	3%	624
45-55	301	46%	293	45%	55	8%	8	1%	657
55-60	258	79%	63	19%	6	2%	0	0%	327
Grand Total	752	38%	1032	52%	193	10%	26	1%	2003

Table 11 above indicates that 38% of claimants whose benefit will be reduced to nil under the proposed scheme have no children, with 62% comprising one or more child. This is similar to the caseload composition as a whole illustrated below.



As explained above, allowances and premiums associated with children resident in a household generally result in an increased entitlement to benefit. Therefore, the small variance of households with no children (38% compared to 43% in the total caseload) affected can be explained by the likelihood of larger families living in higher banded properties, and children (of adult age and therefore not counted above) also living in the household as non-dependants thereby resulting in loss of entitlement to Council Tax Support for these customers.

Table 12 below shows the number of children in a household by caseload type. Of the current working age Council Tax Benefit recipients, 14,039 (i.e. 57% of working age claimants) have children in their household. Of these claimants 1153 (i.e. 8.21%) are protected against **Principle 2 - The most vulnerable claimants should be protected (from the minimum contribution) proposed for Council Tax Support.**

Table 12: Breakdown of Council Tax Benefit recipients with children and caseload type:

Number of dependents	Working Age Passported		Working Age Other		Working Age Vulnerable		Grand Total
1-2	4185	42.34%	4883	49.40%	817	8.27%	9885
3-4	1418	41.08%	1756	50.87%	278	8.05%	3452
5+	336	47.86%	308	43.87%	58	8.26%	702
Grand Total	5939	42.30%	6947	49.48%	1153	8.21%	14039

2. Disability

The Equality Duty explicitly recognises that a disabled customer's needs may be different to those of non-disabled customers.

One of the main considerations when proposing a Council Tax Support Scheme has been with regard to any additional protection for disabled persons. The proposed Council Tax Support Scheme retains many of the current Council Tax Benefit assessment rules including the use of applicable amounts.

The personal allowances and premiums currently used to calculate Council Tax Benefit are the amounts deemed appropriate to meet basic living needs based upon household composition and disability. These allowances and applicable amounts already take the claimant's circumstances into account and mean that they are generally awarded more benefit if they or anyone in their household has a disability.

As an example, a couple without children or disabilities is deemed to have weekly needs of £111.45. If one of them has a disability, depending on the severity of that disability, this can increase to £303.70 which means that a more generous assessment of Council Tax Support will be made and the couple will have to pay less Council Tax than a couple without disability.

Additionally, Brent has given due consideration to its obligations under the Equalities Act within its **Principle 2: The most vulnerable claimants should be protected (from the minimum contribution) proposed for Council Tax Support.**

Protection from the 20 per cent minimum contribution is proposed for claimants if they or their partner or dependants are entitled to a disability premium or enhanced disability premium (normally given where disability living allowance has been awarded) or disabled earnings disregard, or the claimant is in receipt of disabled person's reduction for Council Tax purposes. Additionally, the receipt of Disability Living Allowance income will be disregarded when calculating entitlement to support thus not affecting a claimant's entitlement.

The classification of a protected disabled person for the purposes of the Council Tax Support Scheme includes anyone in receipt of one or more or of the following premiums:

Classification of a vulnerable person	Number of claims
Disability Premium	965
Enhanced Disability Premium	139
Enhanced Disability Premium for Dependents	65
Disabled Earned Disregard	193
In receipt of DLA (which could qualify for a disability, enhanced disability premium)	2753
CT Disabled Person's Reduction	66

Chart B below sets out the relative proportions of the population according to their declared health levels.

Chart B: Disability Proportions for Brent from Census Data

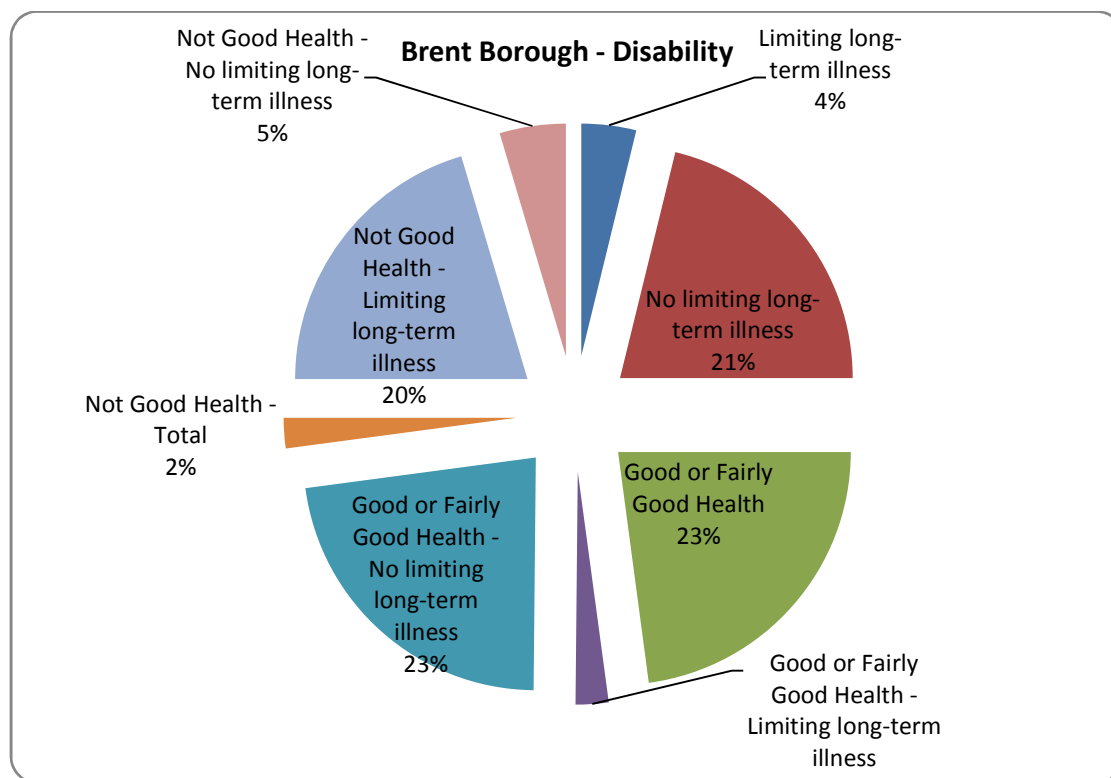


Table 13 below shows how the proposed Scheme will impact upon disabled claimants currently in receipt of Council Tax Benefit. There are 3252 Council Tax Benefit claimants (i.e. 13%) currently in receipt of Disability Living Allowance.

Table 13: Breakdown of Council Tax Benefit recipients by Caseload and difference in entitlement:

Difference per week	Working Age Passported		Working Age Other		Working Age Vulnerable		Grand Total
£0-£3	915	16%	1527	27%	3208	57%	5650
£3-£5	8252	64%	4461	35%	102	1%	12815
£5-£8	1567	36%	2695	62%	74	2%	4336
£8-£15	427	29%	976	67%	56	4%	1459
£15-£30	120	36%	187	56%	28	8%	335
£30+	0	0%	8	89%	1	11%	9
Grand Total	11281	46%	9854	40%	3469	14%	24604

Of the 3469 protected claimants under the proposed scheme, **Table 14** below indicates that 3208 (i.e 92%) will receive the same entitlement for Council Tax Support as they do currently for Council Tax Benefit, and that a further 102 (i.e. 3%) claimants have a Council Tax difference to pay of less than £3.00 per week which demonstrates little or no impact for this protected group.

Table 14: Breakdown of Council Tax Benefit recipients by Caseload and difference in entitlement:

Reduction in Entitlement per week	Working Age Vulnerable	
£0-£3	3208	92%
£3-£5	102	3%
£5-£8	74	2%
£8-£15	56	2%
£15-£30	28	1%
£30+	1	0%
Grand Total	3469	100%

The applicable amounts comprised of personal allowances and premiums (see glossary) for Council Tax Benefit are comprised of a range of allowances and premiums. The applicable amount specifies the basic living needs requirement for a claimant's circumstances.

Disability Benefits such as Disability Living Allowance will be disregarded in calculating entitlement to support thereby facilitating the provision of greater financial support to those with specific long term conditions that are included within this protected group. Claimants with disabilities will receive additional premiums as part of their support calculation in recognition of the additional expenses that they may often incur.

To qualify for a disability premium, the claimant must normally have been sick for 52 weeks (28 if the claimant is terminally ill) or registered blind, or entitled to one of a number of long-term disability benefits, such as Disability Living Allowance.

3. Gender Reassignment

This protected group comprising people considering or undergoing the process of gender reassignment is often one of the hardest groups to reach.

The LGBT (Lesbian, Gay, Bisexual and Transgender) group was contacted during the consultation process to obtain their comments and views on the proposed scheme although no formal response was received from this. Gender reassignment was also included in the equality questions in order to assist with the analysis of consultation responses.

Gender reassignment will not be a factor in the assessment of Council Tax Support in relation to allowances and premium used when assessing entitlement to support. However, it is not possible to comment more fully on the effects of income received by claimants in this group, as this will be dependent upon their income and circumstances at that time which may vary and cannot therefore be predicted with certainty.

As much of the existing Council Tax Benefit Scheme is to be retained within the proposed Council Tax Support Scheme, It is anticipated that it will not adversely affect claimants in this group. However, there is not currently sufficient data and evidence available to validate this more fully.

4. Marriage and Civil Partnership

The proposed Council Tax Support Scheme retains the majority of the assessment criteria used currently in the assessment of Council Tax Benefit that specifies that a 'couple' be defined as follows:

- A man and woman who are married to each other and are members of the same household
- A man and woman who are not married to each other but are living together as husband and wife
- Two people of the same sex who are civil partners of each other and are members of the same household
- Two people of the same sex, who are not civil partners of each other but are living together as if they were civil partners.

Marital or civil partnership status entitles a claimant to the couple personal allowance rate and premiums in the circumstances outlined above. As all couples outlined above are affected by the proposed changes, it is not anticipated that Council Tax Support will adversely affect claimants based upon their marital or civil partnership status.

However, there is not currently sufficient data and evidence available to validate this more fully.

5. Pregnancy and Maternity

For the purposes of Council Tax Support, pregnancy and maternity are to be considered as two separate characteristics as whilst the claimant is pregnant, premiums and personal allowances are unchanged until the child is born and then becomes a member of the claimant's household. At that time, an additional premium and allowance are awarded and child benefit income will be disregarded when calculating income received.

Maternity Allowance (MA) is a benefit paid weekly by Jobcentre Plus to pregnant women. Maternity Allowance is paid in the following circumstances:

- The claimant is employed , but not eligible for Statutory Maternity Pay (SMP) from an employer
- The claimant is registered self-employed and paying Class 2 National Insurance Contributions (NICs), or hold a Small Earnings Exception certificate
- The claimant is have recently been employed or self-employed

Maternity Allowance can be paid for up to 39 weeks. The qualifying conditions for MA depend on the date the baby is due not the date the baby is actually born.

A claimant can only get MA if they cannot get SMP from their employer.

For claimants on JSA (IB), they will move onto Income Support only once the pregnancy is at 29 weeks and then after the birth of the child, the claimant will be in receipt of Income Support and Child Tax Credit.

Whilst pregnant, the allowances and premiums used in the calculation of entitlement to support do not change. However, it is not possible to comment more fully on the effects of income received by claimants in this group during pregnancy, as this will be dependent upon their income and circumstances at that time which may vary and cannot be predicted with certainty.

As much of the existing Council Tax Benefit Scheme is to be retained within the proposed Council Tax Support Scheme, It is anticipated that it will not adversely affect claimants in this group. However, there is not currently sufficient data and evidence available to validate this more fully.

6. Race Equality

Race is not a factor in the assessment of Council Tax Benefit and will not generally be a factor in the assessment of Council Tax Support as it is not a characteristic which determines allowances or premiums.

The Local Government Finance Bill will define a 'class of persons' who will be restricted from receiving Council Tax Support nationally and this is expected to include 'persons from abroad'. The Government intends to apply the same restrictions as exist under the

Council Tax Benefit system to exclude foreign nationals with limited immigration status and non-economically active EEA individuals who are not exercising EU treaty rights from receiving Council Tax Support.

Brent's Council Tax Support scheme will include these provisions once finalised and published by the Government. Additionally, where polygamous marriages exist, the claimant will be entitled to an additional allowance for each additional partner.

The proposed local Council Tax Support Scheme will primarily be based upon the provisions of the existing Council Tax Benefit legislation.

Race as a protected characteristic was given due consideration in the consultation undertaken through the following key provisions:

- Formatting of leaflets to include the top 4 community languages such as Urdu and Polish
- Targeted publicity – working with community groups working and the BME community.
- Forum invitations were sent to community groups and representatives of the BME community
- Race and nationality was included in the equality questions in order to facilitate an analysis of responses.

Claimant ethnicity is recorded for 64.11% of our 24604 working age caseload. The composition shown on our database for current Council Tax Benefit purposes is set out in **Table 15** below.

Table 15: Breakdown of Council Tax Benefit recipients by Ethnicity and caseload type:

Ethnicity	Grand Total	%
Not Known	8584	34.89%
African	2060	8.37%
Any Other background	775	3.15%
Asian or Asian British: Bangladeshi	52	0.21%
Asian or Asian British: Indian	364	1.48%
Asian or Asian British: Pakistani	294	1.19%
Asian or British : Any other Background	1198	4.87%
Bangladeshi	46	0.19%
Black-Black British: African	1411	5.73%
Black-Black British: Caribbean	1129	4.59%
Black-Black British: Other	193	0.78%
British	1354	5.50%
Caribbean	1226	4.98%
Chinese	38	0.15%

Indian	410	1.67%
Irish	244	0.99%
Mixed :Any other mixed background	142	0.58%
Mixed: White and Asian	80	0.33%
Mixed: White and Black African	110	0.45%
Mixed: White and Black Caribbean	122	0.50%
Other White Race	643	2.61%
Other Asian group	837	3.40%
Other Black groups	96	0.39%
Other Mixed Race	59	0.24%
Pakistani	266	1.08%
White and Asian	58	0.24%
White and Black African	93	0.38%
White and Black Caribbean	91	0.37%
White: Any other White background	1541	6.26%
White: British	874	3.55%
White: Irish	214	0.87%
Grand Total	24604	100.00%

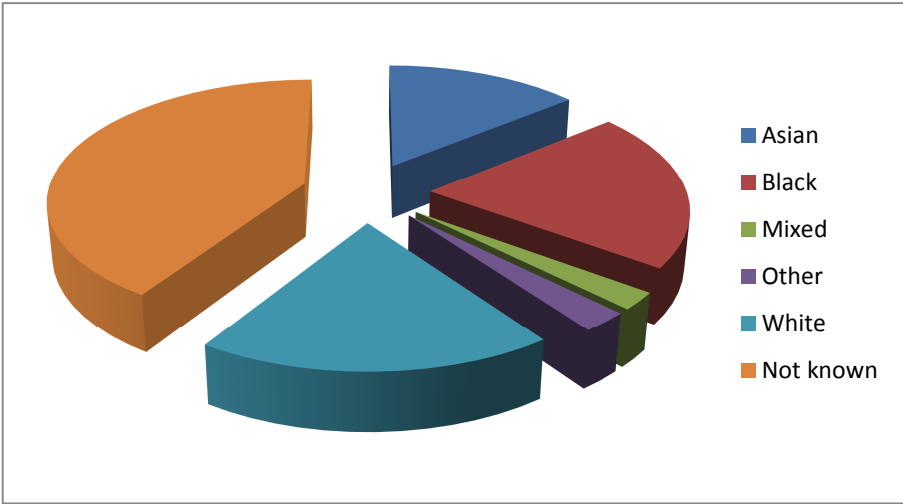
The ethnicity data has then been grouped as per **Table 16** below for equalities analysis purposes to enable a comparison to be made in compliance with the Equality Act 2010.

Table 16: Breakdown of Ethnicity Groups:

White	Asian	Black	Mixed	Other
British	Asian or Asian British: Bangladeshi	African	Mixed :Any other mixed background	Any Other background
Irish	Asian or Asian British: Indian	Black-Black British: African	Mixed: White and Asian	
Other White Race	Asian or Asian British: Pakistani	Black-Black British: Caribbean	Mixed: White and Black African	
White: Any other White background	Asian or British : Any other Background	Black-Black British: Other	Mixed: White and Black Caribbean	
White: British	Bangladeshi	Caribbean	Other Mixed Race	
White: Irish	Indian	Other Black groups	White and Asian	
	Other Asian group		White and Black African	
	Pakistani		White and Black Caribbean	
	Chinese			

This gives six 'Ethnic Groups' including 'Not Known' to report ethnicity data against.

Total Caseload Ethnicity in six groups



As Council Tax Benefit is determined according to overall household income, rather than distinguishing between ethnic groups relating to the recipients of these benefits, any differences in the amounts of Council Tax Support received in comparison to Council Tax Benefit are considered attributable to factors other than race.

Table 17 below presents a breakdown of the Council Tax Benefit population by ethnicity and caseload type.

Table 17: Breakdown of Council Tax Benefit recipients by Ethnicity and caseload type:

Ethnicity Groups	Working Age Passported		Working Age Other		Working Age Vulnerable		Grand Total	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
Asian	1094	31%	1939	55%	472	13%	3505	14%
Black	3368	55%	2100	34%	647	11%	6115	25%
Mixed	365	48%	302	40%	88	12%	755	3%
Other	318	41%	351	45%	106	14%	775	3%
White	2030	42%	2183	45%	657	13%	4870	20%
Not Known	4106	48%	2979	35%	1499	17%	8584	35%
Grand Total	11281	46%	9854	40%	3469	14%	24604	

Table 17 indicates that there is no significant variance across the ethnic groups with regard to any particular group being classified as 'vulnerable' (and therefore protected against the principle 1 requirement to pay a minimum Council Tax amount of 20%).

The primary variances revealed in Table 17 above are that the Black ethnic group is more likely to be in the 'passported' group (55% compared to the 46% average), whilst the Asian ethnic group is more likely to be in the 'Working Age Other' group (55% compared to the 40% average).

Table 18 below shows how the above data translates into reductions in entitlement between different ethnic groups and weekly amounts.

Table 18: Breakdown of Council Tax Benefit recipients by ethnicity and difference in weekly entitlement:

Ethnic Group	Difference of Council Tax Benefit and Council Tax Support per week												Grand Total
	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		
Asian	686	20%	1462	42%	956	27%	316	9%	81	2%	4	0%	3505
Black	1268	21%	3670	60%	859	14%	264	4%	54	1%	0	0%	6115
Mixed	171	23%	434	57%	113	15%	30	4%	7	1%	0	0%	755
Other	184	24%	344	44%	200	26%	40	5%	6	1%	1	0%	775
White	1129	23%	2591	53%	785	16%	300	6%	64	1%	1	0%	4870
Not Known	2212	26%	4314	50%	1423	17%	509	6%	123	1%	3	0%	8584
Grand Total	5650	23%	12815	52%	4336	18%	1459	6%	335	1%	9	0%	24604

There is little variance between the various ethnic groups in the £0 - £3 weekly reduction in entitlement, which corresponds with the same small variance with regards to which ethnic groups are protected as vulnerable. This is therefore consistent with the data already outlined in **Table 17** above.

The majority of working age customers (52%) will incur a difference of £3-£5 per week less in entitlement under the proposed scheme that will have to be paid in their Council Tax.

The 'black' ethnic group (60%) in proportionate terms has a greater incidence of a reduction in entitlement of £3 to £5 per week compared to any other ethnic group. However, claimants in this group are less affected by a decrease in entitlement of more than £5.00 per week than other groups. This is because this group has more claimants in receipt of passported benefits (i.e. 55%) compared to the average for the working age caseload (i.e. 46%) as set out in **Table 17** above. Consequently, they would not see a reduction in their benefit under Principle 5 (the effects of the taper) but, like all other groups, would be still be affected by Principle 1 - the proposed requirement to make a minimum contribution of 20%.

Table 19 shows the 'Asian' ethnic group is more affected in proportionate terms by a reduction in entitlement of £5.00 or more per week under the proposed scheme than other groups. One reason for this is that they are more likely to be in the 'working age

other' group shown in **Table 17** above and therefore more likely to be affected by Principle 5 and the impact of the taper on income above their basic living needs.

Table 19: Analysis of Asian Group compared to non Asian Group with a reduction of more than £5.00 per week in entitlement:

Ethnic Group	Number of claims affected where entitlement is reduced by more than £5.00 per week	Total Working Age Caseload	% of Caseload affected by reduction of more than £5.00 per week
Asian	1357	3505	39%
Non Asian	4782	21099	23%

In relation to **Table 19** above, there are some significant factors that contribute towards the variance in the percentage of caseload affected by a reduction in entitlement of more than £5 per week. These are as follows:

- 'Asian' families have a greater proportion of dependents (i.e. 22% have 3-4 children per household compared to 10% of the 'white' group) as shown in **Table 20**. Consequently, they have larger homes and hence more Council Tax to pay for the Valuation Band allocated. For example, **Table 21** below shows 16% of the 'Asian' ethnic group resides in Band E properties compared to 9% 'Black or 10% 'White' ethnic groups.

Table 20: Breakdown of Asian Group compared to non Asian Group with 3-4 dependants per household

Ethnic Group	3-4 Dependants	Total Working Age Caseload	% of Caseload
Asian	779	3505	22%
Non Asian	2673	21099	13%
Totals	3452	24604	14%

Table 21: Breakdown of Council Tax Benefit recipients by ethnicity and Council Tax Band:

Ethnic Group	A		B		C		D		E		F		G		H		Grand Total
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	
Asian	99	2.82%	401	11.44%	1322	37.72%	1006	28.70%	549	15.66%	102	2.91%	26	0.74%	0	0.00%	3505
Black	377	6.17%	1262	20.64%	2412	39.44%	1399	22.88%	581	9.50%	77	1.26%	7	0.11%	0	0.00%	6115
Mixed	39	5.17%	141	18.68%	319	42.25%	184	24.37%	68	9.01%	4	0.53%	0	0.00%	0	0.00%	755
Other	27	3.48%	120	15.48%	294	37.94%	193	24.90%	121	15.61%	15	1.94%	5	0.65%	0	0.00%	775
White	257	5.28%	883	18.13%	2007	41.21%	1137	23.35%	492	10.10%	82	1.68%	12	0.25%	0	0.00%	4870
Not Known	400	4.66%	1548	18.03%	3267	38.06%	2190	25.51%	996	11.60%	136	1.58%	44	0.51%	3	0.03%	8584
Grand Total	1199	4.87%	4355	17.70%	9621	39.10%	6109	24.83%	2807	11.41%	416	1.69%	94	0.38%	3	0.01%	24604

- The 'Asian' group has significantly more adults other than the claimant and partner residing as part of the household (e.g. 6% 'Asian' households have 2 other adults living as part of the family compared to 3% of any other ethnic group) as shown in **Table 22** below.

Table 22: Breakdown of Asian Group compared to non Asian Group with 2 non-dependants per household

Ethnic Group	2 Non-Dependants per household	Total Working Age Caseload	% of Caseload
Asian	225	3505	6%
Non Asian	673	21099	3%
Totals	898	24604	4%

It has previously been identified in this equality strand analysis that 2,003 (i.e. 8%) of all working age Council Tax Benefit recipients will not qualify for any entitlement under the proposed Council Tax Support Scheme.

Table 23 below provides a sub analysis of claimants affected by the loss of entitlement according to their ethnicity and the weekly reduction in entitlement experienced as a consequence for reference.

Table 23: Breakdown of Council Tax Benefit recipients by Ethnicity and total loss of entitlement under CTS:

Ethnic Group	Amount of CTB entitlement not available under CTS per week												Total	
	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+			
Asian	51	13%	68	17%	110	28%	111	28%	47	12%	4	1%	391	19.52%
Black	74	19%	119	31%	103	27%	69	18%	19	5%	0	0%	384	19.17%
Mixed	5	14%	7	19%	12	32%	10	27%	3	8%	0	0%	37	1.85%
Other	4	10%	15	38%	12	31%	6	15%	1	3%	1	3%	39	1.95%
White	77	16%	130	26%	143	29%	109	22%	36	7%	1	0%	496	24.76%
Not Known	91	14%	144	22%	185	28%	182	28%	51	8%	3	0%	656	32.75%
Total	302	15%	483	24%	565	28%	487	24%	157	8%	9	0%	2003	100.00%

Table 24 below indicates the proportion of children resident per claimant's household by ethnicity.

There are 307 claims (i.e. 5%) in the 'Black' group where there are 5 or more children in the household compared to 395 claims (2.14%) in the 'non black' group. However, allowances and premiums together with the disregard of Child Benefit and Guardians Allowance in the calculation of support entitlement will alleviate the potential effects of receipt of these incomes on entitlement to support. Additionally, child care disregards of

up to £175 per week for one child and £300 per week for two or more children may be given where the claimant or their partner works 16 or more hours per week and qualifying conditions are met.

Table 24: Breakdown of Council Tax Benefit recipients by ethnicity and number of children per household:

Row Labels	Number of Children per Household								Grand Total
	0		1-2		3-4		5+		
Asian	1125	32%	1511	43%	779	22%	90	3%	3505
Black	2612	43%	2333	38%	863	14%	307	5%	6115
Mixed	296	39%	341	45%	104	14%	14	2%	755
Other	269	35%	317	41%	166	21%	23	3%	775
White	2140	44%	2197	45%	472	10%	61	1%	4870
#N/A	4123	48%	3186	37%	1068	12%	207	2%	8584
Grand Total	10565	43%	9885	40%	3452	14%	702	3%	24604

7. Religion and belief

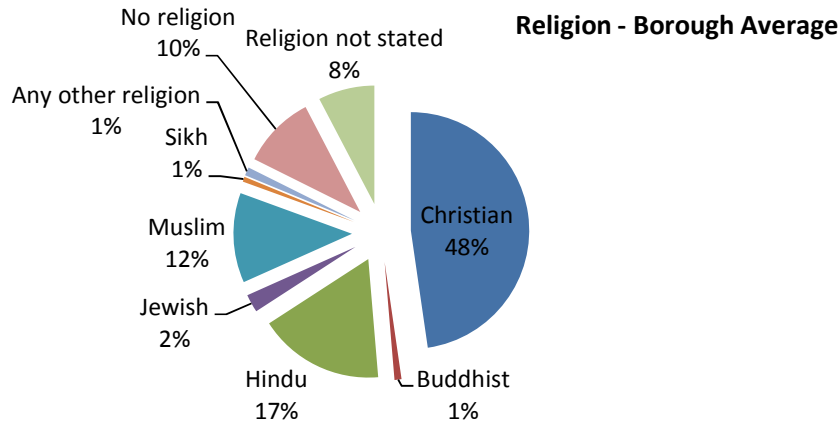
Religion and belief will not generally be a factor in relation to allowances and premiums used when assessing entitlement to support. The exception to this is that a higher applicable amount may be determined for a claimant in a polygamous marriage that may be applicable to certain religions and beliefs.

It is not possible to comment more fully on the effects of future income received by claimants in this group, as this will be dependent upon their future income and circumstances at that time that may vary and cannot therefore be predicted with certainty.

It is anticipated that the proposed Council Tax Support Scheme will not adversely affect anyone based upon religion or belief, as there are currently no claimants identified as being in a polygamous marriage and much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme.

However, there is not currently sufficient data and evidence available to validate this more fully.

Chart D: Religion - Borough average:



However, we do not currently hold sufficient data to evaluate and evidence the effect of the proposals for this protected group.

8. Sex Equality

Gender will not be a factor in relation to allowances and premiums used when assessing entitlement to support.

It is not possible to comment more fully on the future effects of income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot therefore be predicted with certainty.

Assessment of Council Tax Benefit considers overall household income, rather than distinguishing between male and female recipients of these benefits.

The analysis of existing CTB claims by gender is shown in **Table 25** below.

Table 25: Breakdown of Council Tax Benefit recipients by gender and caseload type:

Gender	Working Age Passported		Working Age Other		Working Age Vulnerable		Grand Total
	Count	Percentage	Count	Percentage	Count	Percentage	
Female	6999	50%	5265	38%	1686	12%	13950
Male	4272	40%	4584	43%	1782	17%	10638
Unknown	10	63%	5	31%	1	6%	16
Grand Total	11281	46%	9854	40%	3469	14%	24604

Of our 24,604 working age recipients of Council Tax Benefit, female customers comprise 57% of the caseload and male customers 43%. However, as claims can

generally be made by either partner, the proportions indicated should be considered and analysed in that context.

Table 26 below shows how Council Tax Support recipients are affected with regards to gender and whether the customer is a single person, single parent or a couple. Female claimants comprise 57% of our caseload. The table shows a higher proportion of lone parents in the caseload are female and a higher proportion of single claimants in the caseload are male.

In the case of couples, there are more male customers (where the male is the 'claimant' and the female is on the claim as a 'partner') than female customers with a variance of 26%. The explanation for this could be that in relation to a married couple or couple living together as husband and wife, the male partner completes the application forms and therefore submits their name first as the claimant.

Table 26: Breakdown of Council Tax Benefit recipients by Gender and Claimant Type:

Gender	Single claimant		Lone Parent		Couple		Total
Female	4075	29%	7769	56%	2106	15%	13950
Male	5592	53%	659	6%	4387	41%	10638
Unknown	7	44%	8	50%	1	6%	16
Grand Total	9674	39%	8436	34%	6494	26%	24604

Table 27: Breakdown of Council Tax Benefit recipients by Gender and difference in entitlement per week:

Gender	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
Female	2512	18.01%	7965	57.10%	2352	16.86%	910	6.52%	207	1.48%	4	0.03%	13950
Male	3135	29.47%	4837	45.47%	1984	18.65%	549	5.16%	128	1.20%	5	0.05%	10638
Unknown	3	18.75%	13	81.25%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	16
Grand Total	5650	22.96%	12815	52.09%	4336	17.62%	1459	5.93%	335	1.36%	9	0.04%	24604

Table 27 above indicates that whilst there appears to be a higher proportion of male claimants affected by a reduction in entitlement of £0 to £3 per week than females, there is conversely a higher proportion of females affected by the £3 to £5 reduction in entitlement and a broadly comparable proportion for the other reduction categories. The combined effects of a £0 to £5 reduction indicate a comparable effect on both male and female claimants with 75.1% female and 74.9% male. Consequently, the effect of the proposed scheme based upon gender appears to be broadly comparable.

Since 2005, civil partnerships for same-sex couples have been recognised as couples for benefit purposes and therefore are treated as such in the calculation of entitlement.

These changes ensure that same-sex couples are treated the same as other unmarried couples and married couples.

9. Sexual orientation

Sexual orientation will not generally be a factor in relation to allowances and premiums used when assessing entitlement to support.

It is not possible to comment more fully on the effects of future income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot be predicted with certainty.

It is anticipated that the proposed Council Tax Support Scheme will not adversely affect anyone based upon their sexual orientation and much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme.

However, there is not currently sufficient data and evidence available to validate this more fully.

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Appendix D3 – Equality Strand Analysis including protection for claimants in receipt of Carers Allowance

Introduction

An additional equality assessment has been undertaken, following recommendations made from the Council Tax Support consultation process, to include protection against Principle 1 (i.e. the minimum contribution of 20% towards Council Tax) of the proposed scheme for claimants in receipt of Carers Allowance as part of the Council Tax Support scheme.

The assessment is on the nine protected characteristics namely age; race; disability; gender; faith, sexuality, marriage and civil partnerships, maternity and pregnancy.

1. Add protection for claimants in receipt of Carers Allowance

Carer's Allowance is a benefit paid to a person who looks after someone who is disabled. There is no requirement for them to be related to the person being cared for or to live with them. Carer's Allowance may be paid if a carer meets the following conditions:

- They are aged 16 or over
- They spend at least 35 hours a week caring for a person
- Financial – £5,178,110 gross savings

The proposed protection for carers will increase the number of working age customers to 4039 under the protected caseload with 141 claimants already protected under the proposed scheme as they already receive a form of Disability Living Allowance for a dependent that is resident in their home.

- Equality Strands –
 - Age

The number of working age customers based on age and caseload type changes to 10,801 (43.90%) passported caseload, 9764 (39.68%) working age other and 4039 (16.42%) for protected caseload. Table 1 below exemplifies this. (Please note that percentages are rounded to the nearest whole number).

Table 1: Breakdown of Council Tax Benefit recipients by age and caseload type:

Age Group	Working Age Passported		Working Age Other		Working Age Vulnerable		Grand Total
18-24	797	68%	318	27%	51	4%	1166
25-34	2510	49%	2242	43%	410	8%	5162
35-44	3178	40%	3696	47%	986	13%	7860
45-55	3100	41%	2784	37%	1674	22%	7558
55-60	1216	43%	724	25%	918	32%	2858
Grand Total	10801	44%	9764	40%	4039	16%	24604

Of the working age protected caseload (4039), customers aged 55 to 60 are more likely to be protected in proportionate terms than those aged 25 and under. This is a similar effect to that identified within the proposed Council Tax Support Scheme.

Table 2: Breakdown of Council Tax Benefit working age recipients by age and difference in entitlement:

Age Group	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
18-24	216	19%	878	75%	63	5%	9	1%	0	0%	0	0%	1166
25-34	1086	21%	3325	64%	595	12%	127	2%	29	1%	0	0%	5162
35-44	1756	22%	4118	52%	1537	20%	380	5%	66	1%	3	0%	7860
45-55	2092	28%	3208	42%	1518	20%	595	8%	139	2%	6	0%	7558
55-60	952	33%	1035	36%	471	16%	307	11%	93	3%	0	0%	2858
Grand Total	6102	25%	12564	51%	4184	17%	1418	6%	327	1%	9	0%	24604

Table 2 above indicates that the majority of working age claimants (i.e. 51%) will have a difference of £3 to £5 per week extra to pay under the proposed scheme towards their Council Tax which is comparable with the proposed Council Tax Support Scheme.

Under this scheme, 6102 (24.80 working age claimants will have a decrease under £3 per week compared to 5650 (22.96%) customers in the proposed scheme.

Table 3: Breakdown of Council Tax Benefit recipients in the Working Age Vulnerable (protected) group by age and difference in entitlement:

Age Group	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
18-24	51	100%	0	0%	0	0%	0	0%	0	0%	0	0%	51
25-34	396	97%	4	1%	7	2%	3	1%	0	0%	0	0%	410
35-44	922	94%	27	3%	18	2%	9	1%	10	1%	0	0%	986
45-55	1524	91%	81	5%	31	2%	25	1%	12	1%	1	0%	1674
55-60	789	86%	40	4%	40	4%	40	4%	9	1%	0	0%	918
Grand Total	3682	91%	152	4%	96	2%	77	2%	31	1%	1	0%	4039

All protected claimants aged less than 25 years old will have a difference of £3 or less per week to pay under the Council Tax support Scheme based on the protection proposed for carers.

Claimants aged 55 to 60 are proportionately more affected with a difference of more than £8 per week which is the same finding as identified under the proposed scheme.

- Disability

Brent has given due consideration to obligations under the Equalities Act within its **Principle 2: The most vulnerable claimants should be protected (from the minimum contribution) proposed for Council Tax Support.**

Protection from the 20 per cent minimum contribution will apply to claimants if they or their partner or dependants are entitled to a disability premium or enhanced disability premium (normally given where disability living allowance has been awarded) or disabled earnings disregard, or the claimant is in receipt of disabled person's reduction for council tax purposes. In addition, Disability Living Allowance income is disregarded generally when calculating entitlement.

Claimants in receipt of a Carer's Allowance will also be protected under this proposal. This alternative will have no impact on those already protected under this characteristic.

- Gender Reassignment

Claimants within this group are often one of our hardest to reach groups.

Gender reassignment will not be a factor in the assessment of Council Tax Support in relation to allowances and premium used when assessing entitlement to support. However, it is not possible to comment more fully on the future effects of income received by claimants in this group, as this will be dependent upon their income and circumstances at that time which may vary and cannot therefore be predicted with certainty.

As much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme, It is anticipated that it will not adversely affect claimants in this group. However, there is not currently sufficient data and evidence available to validate this more fully.

- Marriage and Civil Partnership

The proposed Council Tax Support Scheme retains the majority of the assessment criteria used currently in the assessment of Council Tax Benefit that specifies that a 'couple' be defined as follows:

- A man and woman who are married to each other and are members of the same household
- A man and woman who are not married to each other but are living together as husband and wife
- Two people of the same sex who are civil partners of each other and are members of the same household
- Two people of the same sex, who are not civil partners of each other but are living together as if they were civil partners.

Marital or civil partnership status entitles a claimant to the couple personal allowance rate and premiums in the circumstances outlined above. As all couples outlined above are affected by the proposed changes, it is not anticipated that Council Tax Support will adversely affect claimants based upon their marital or civil partnership status.

However, there is not currently sufficient data and evidence available to validate this more fully.

- Pregnancy and Maternity

For the purposes of Council Tax Support, pregnancy and maternity are to be considered as two separate characteristics as whilst the claimant is pregnant, premiums and personal allowances are unchanged until the child is born and then becomes a member of the claimant's household. At that time, an additional premium and allowance are awarded and child benefit income will be disregarded when calculating income received.

Maternity Allowance (MA) is a benefit paid weekly by Jobcentre Plus to pregnant women. Maternity Allowance is paid in the following circumstances:

- The claimant is employed , but not eligible for Statutory Maternity Pay (SMP) from an employer
- The claimant is registered self-employed and paying Class 2 National Insurance Contributions (NICs), or hold a Small Earnings Exception certificate
- The claimant is have recently been employed or self-employed

Maternity Allowance can be paid for up to 39 weeks. The qualifying conditions for MA depend on the date the baby is due not the date the baby is actually born.

A claimant can only get MA if they cannot get SMP from their employer.

For claimants on JSA (IB), they will move onto Income Support only once the pregnancy is at 29 weeks and then after the birth of the child, the claimant will be in receipt of Income Support and Child Tax Credit.

Whilst pregnant, the allowances and premiums used in the calculation of entitlement to support do not change. However, it is not possible to comment more fully on the effects of income received by claimants in this group during pregnancy, as this will be dependent upon their income and circumstances at that time which may vary and cannot be predicted with certainty.

As much of the existing Council Tax Benefit Scheme is to be retained within the proposed Council Tax Support Scheme, It is anticipated that it will not adversely affect claimants in this group. However, there is not currently sufficient data and evidence available to validate this more fully.

- Race

Race is not a factor in the assessment of Council Tax Benefit and will not generally be a factor in the assessment of Council Tax Support as it is not a characteristic affecting allowances or premiums.

The Local Government Finance Bill will define a 'class of persons' who will be restricted from receiving Council Tax Support nationally and this is expected to include 'persons from abroad'. The Government intends to apply the same restrictions as exist under the Council Tax Benefit system to exclude foreign nationals with limited immigration status and non-economically active EEA individuals who are not exercising EU treaty rights from receiving Council Tax Support.

Brent's Council Tax Support scheme will include these provisions once finalised and published by the Government. Additionally, where polygamous marriages exist, the claimant will be entitled to an additional allowance for each additional partner.

The proposed local Council Tax Support Scheme will primarily be based upon the provisions of the existing Council Tax Benefit legislation.

Table 4: Breakdown of Council Tax Benefit Working Age recipients by ethnicity and difference in entitlement:

Ethnic Groups	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
Asian	739	21%	1444	41%	931	27%	307	9%	80	2%	4	0%	3505
Black	1401	23%	3597	59%	810	13%	254	4%	53	1%	0	0%	6115
Mixed	182	24%	426	56%	110	15%	30	4%	7	1%	0	0%	755
Other	206	27%	332	43%	192	25%	39	5%	5	1%	1	0%	775
White	1205	25%	2544	52%	766	16%	290	6%	64	1%	1	0%	4870
Not Known	2369	28%	4221	49%	1375	16%	498	6%	118	1%	3	0%	8584
Grand Total	6102	25%	12564	51%	4184	17%	1418	6%	327	1%	9	0%	24604

The 'Asian' group is in proportionate terms more affected under the proposed scheme by a reduction in entitlement of £5.00 or more per week. This is because members of this group are more likely to be affected by Principle 5 (i.e. the effects of the taper) and less likely to be in receipt of a passported benefit. Additionally, they also have a greater proportion of dependent children per household than other groups and a higher Council Tax Valuation Band in proportionate terms compared to other groups.

Table 5: Breakdown of Council Tax Benefit recipients in the Working Age Vulnerable (protected) group by ethnicity and difference in entitlement:

Ethnic Group	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total	
Asian	465	85%	27	5%	22	4%	20	4%	11	2%	0	0%	545	13.49%
Black	751	93%	26	3%	19	2%	4	0%	8	1%	0	0%	808	20.00%
Mixed	94	94%	3	3%	0	0%	1	1%	2	2%	0	0%	100	2.48%
Other	122	92%	3	2%	6	5%	1	1%	0	0%	0	0%	132	3.27%
White	685	91%	35	5%	15	2%	14	2%	4	1%	0	0%	753	18.64%
Not Known	1565	92%	58	3%	34	2%	37	2%	6	0%	1	0%	1701	42.11%
Grand Total	3682	91%	152	4%	96	2%	77	2%	31	1%	1	0%	4039	100.00%

Table 5 above provides an analysis of claimants already proposed for protection under the proposed Council Tax Support Scheme and those in receipt of a Carer's Allowance. The proposed protection for these claimants means that 91% of them will have a difference of less than £3 per week.

- Religion and belief

Religion and belief will not generally be a factor in relation to allowances and premiums used when assessing entitlement to support. The exception to this is

that a higher applicable amount may be determined for a claimant in a polygamous marriage that may be applicable to certain religions and beliefs.

It is not possible to comment more fully on the effects of future income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot be predicted with certainty.

It is anticipated that the proposed Council Tax Support Scheme will not adversely affect anyone based upon religion or belief, as there are currently no claimants identified as being in a polygamous marriage and much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme.

However, there is not currently sufficient data and evidence held and available to validate this more fully.

- o Sex

Gender will not be a factor in relation to allowances and premiums used when assessing entitlement to support.

It is not possible to comment more fully on the future effects of income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot therefore be predicted with certainty.

Assessment of Council Tax Benefit considers overall household income, rather than distinguishing between male and female recipients of these benefits.

For these reasons, it is expected that Council Tax Support will not adversely affect anyone based on their sex.

Of the 24,604 working age claimants in receipt of Council Tax Benefit, female claimants comprise 57% of the caseload and male claimants 43%.

Table 6: Breakdown of Council Tax Benefit Working Age recipients by sex and difference in entitlement:

Sex	£0-£3		£3-£5		£5-£8		£8-£15		£15-£30		£30+		Grand Total
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	
FEMALE	2856	20%	7763	56%	2251	16%	873	6%	203	1%	4	0%	13950
MALE	3243	30%	4788	45%	1933	18%	545	5%	124	1%	5	0%	10638
UNKNOWN	3	19%	13	81%	0	0%	0	0%	0	0%	0	0%	16
Grand Total	6102	25%	12564	51%	4184	17%	1418	6%	327	1%	9	0%	24604

Table 6 above provides an analysis of reduction in entitlement based upon the gender of the claimant. On average, working age claimants (i.e. 51%) will have a

difference of £3 to £5 per week extra to pay under the proposed scheme towards their Council Tax. The table indicates that whilst there appears to be a higher proportion of male claimants affected by a reduction in entitlement of £0 to £3 per week than females, there is conversely a higher proportion of females affected by the £3 to £5 reduction in entitlement and a broadly comparable proportion for the other reduction categories. The combined effects of a £0 to £5 reduction indicate a comparable effect on both male and female claimants with 76.1% female and 75.4% male. Consequently, the effect of the proposed scheme based upon gender appears to be broadly comparable.

- Sexual orientation

Sexual orientation will not generally be a factor in relation to allowances and premiums used when assessing entitlement to support.

It is not possible to comment more fully on the effects of future income received by claimants in this group, as this will be dependent upon their income and circumstances at that time that may vary and cannot be predicted with certainty.

It is anticipated that the proposed Council Tax Support Scheme will not adversely affect anyone based upon their sexual orientation and much of the existing Council Tax Benefit Scheme is to be retained in the proposed Council Tax Support Scheme.

However, there is not currently sufficient data and evidence available to validate this more fully.

Appendix E

Timetable of critical dates

Executive	15 th October 2012
Full Council	10 th December 2012
Preparation for implementation, Software and year-end testing New application forms to be designed, Publicise the new scheme Write to all CTB claimants	January 2013 – March 2013
Go live	1 st April 2013

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Appendix F

Council Tax Support Scheme - Government Offer of Transition Grant

1. Financial implications

- 1.1 An analysis of the financial implications arising from the Government's specified conditions and further set out below suggests that based upon an assumed collection rate of 85%, currently identified savings from the proposed CTS scheme would be reduced by a minimum of £2,218,480 (i.e. the difference between the new revised proposal from the DCLG less the scheme proposal recommended in the main report to Full Council) in order to meet the requirement of the minimum contribution to Council Tax not exceeding 8.5%. This loss to the Council would be mitigated in part by receipt of the transition grant of £641,613.
- 1.2 This would still leave a minimum of £1,576,867 to be found from other potential sources such as the Council Tax requirement for 2013/14, reserves or service funding reductions.
- 1.3 The 85% collection rate has been assumed on the basis that a higher amount of support awarded could have a positive effect on the collection rate achieved, rather than the 80% assumed and modelled within the other local scheme proposals and further set out below (although this in itself was considered optimistic by the GLA).
- 1.4 It should also be noted that the revised model for compliance with the Government's conditions incorporates an increase in non-dependant deductions by a factor of 1.5 although it is unclear as to whether this would constitute a large additional increase within the meaning given in the specified conditions. In the event that this was deemed to constitute "a large increase", the level of savings realised from the CTS scheme would be further diminished.
- 1.5 Further work on detailed technical aspects of the Government's proposal and set out at the end of this appendix indicate that the proposed local scheme would have to be rewritten to protect customers with more than £6,000 savings who currently receive 100% rebate (reducing savings by a further £183K), and those who may otherwise be impacted by more than 8.5% of their liability (reducing savings by a further £286K), and this initial work does not at this stage incorporate any provisions to avoid "cliff edges" being built in for those claimants not on 100% liability.
- 1.6 An evaluation of possible permutations arising from the proposed CTS scheme to be considered indicates that in conjunction with proposed changes to Council Tax exemptions and discounts, a surplus of between £0.3M and £1.4M may be realised in 2013/14. It would appear that even a best case scenario would not enable the scheme to be self financing under the Government specified requirements, and would certainly remove all contingency from the scheme against financial risks including collection rate being less than 80% (a risk already identified by the GLA), caseload growth being higher than anticipated, uncertainty about the final DCLG settlement for the scheme and, in particular, the potential to provide a contingency for the second year of the scheme and thus avoid the potential for having to make further changes to the scheme for 2014/15.
- 1.7 Table 1 below exemplifies this position.

Table 1

	Col.1 Funding deficit based on nil increase in CTAX and £0.25M growth in cases for 2013/14	Col.2 Funding deficit based on 3.5% increase in CTAX and £0.5M growth in cases for 2013/14	Funding deficit based on Average of Columns 1 and 2
Brent share of CTS funding shortfall	£3,995,550	£5,154,091	£4,574,821
Brent share of increased revenue from Council Tax discount / exemption changes	(£1,267,779)	(£1,267,779)	(£1,267,779)
Net potential funding shortfall for Year 1 (2013/14)	£2,727,771	£3,886,312	£3,307,042
Recommended CTS Scheme Savings	(£4,142,488)	(£4,142,488)	(£4,142,488)
Overall Position 2013/14	£1,414,717	£256,176	£835,446

2. Other Implications

2.1 Work incentives

It appears to be the case that work incentives promoted by the CLG in previous communications including the Policy Statements of Intent may be compromised.

Careful consideration of any changes to the proposed scheme would be required to avoid customers losing out when they moved into work, and it may not be possible in the timescales available, to ensure that any revised scheme completely complied with this requirement, opening the Council to risk of challenge.

2.2 Consultation

The adoption of the alternative scheme proposed will undoubtedly mean a requirement to review the scheme for year 2 when the transition grant ceases to be available and will necessitate the consideration of transitional protection for claimants that may be adversely affected in financial terms from the changes. There will also be a requirement to consult with the GLA, publish a draft scheme and then consult on the proposals with such persons as the Council thinks fit. Such a requirement may not be appropriate until a later year under the currently proposed CTS Scheme if the surplus as indicated in Table 1 above were to be realised.

2.3 Software

The Council's software provider (i.e. Northgate) has also been asked to comment on the written statement but has so far only issued a holding response. They are seeking clarification from the CLG as to the 'conditions' concerned and are therefore not prepared to make a definitive commitment until they have received it. There is a considerable risk that the software may not achieve the defined conditions and / or be available in time to implement any revised scheme.

2.4 Legal implications

Further implications arise in relation to the implementation timetable that would need to be achieved to ensure that the scheme was approved by Full Council by 31st January 2013 to avoid the default scheme being imposed and the consequential impact of then having to find between £3.9M and £5.1M of savings from alternative sources.

2.4.1 The need to consult with the GLA, publish a draft scheme and then consult with such other persons as the Council sees fit would need to be achieved within a significantly constrained timescale. As such the timescale for consultation would be relatively short and limited. The need to carry out an equalities impact assessment for the revised scheme would also need to be completed. With a General Purposes Committee meeting scheduled for 22nd January to set the Council Tax Base for tax setting purposes for 2013/14, the final CTS scheme for consideration would need to be agreed sufficiently in advance of the date set for that meeting to ensure that the tax base incorporates the relevant tax base adjustments for the agreed scheme. The Full Council meeting currently scheduled for 21st January 2013 would provide insufficient time to enable this to occur.

2.4.2 If the Council failed to set its local scheme by 31st January 2013 then the government's default scheme would be imposed, potentially requiring the Council to fund the scheme with savings elsewhere of between £3.9M and £5.1M.

2.4.3 It is considered that the achievement of the required activities above within such a tight timescale could expose the Council to considerable risk in terms of approving a scheme by 31st January as well as compromising the planned timetable and duration for testing software, commencing publicity and communications and preparing for annual Council Tax billing.

2.5 Other implications

If the Council determined (and was able) to change the current CTS scheme proposal for Year 1, in Year 2 when the transition grant is not available and a revised, harsher scheme potentially needs to be introduced, the reform is more likely at that stage to be seen as a local initiative unlike the existing national reform (including greater protection) in Year 1.

Council Tax Support Proposals

	Scheme Proposals Consulted On	Scheme Proposals Recommended	New Revised Proposal from DCLG	Default Scheme
1. Minimum contribution	20%	20%	8.50%	0%
2. Protection for disabled and recipients of war pensions	Yes	Yes	Yes	No
3. Protection for carers and recipients of guaranteed income payments under the Armed Forces Compensation Scheme	No	Yes	Yes	No
4. Increase earnings disregards	Yes	Yes	Yes	No
5. Increase charges for non-dependants	Yes - 100%	Yes - 100%	Yes - 50%	No
6. Increase taper	30%	30%	25%	20%
7. Reduce savings limit to £6,000	Yes	Yes	Yes	No
Estimated Council Tax collection rate	80%	80%	85%	-
Savings	£4,247,909 (Net)	£4,142,488 (Net)	£1,924,008 (Net)	£3.9M to £5.1M (Gross)

New Revised Proposal = £1,576,867 extra savings for Brent to find (assuming £641,613 additional DCLG funding)

Additionally, compliance with the following DCLG principles will further increase the amount of additional savings to be found:

- **Removing restriction of capital limit for people on 100% support currently set at £6,000.**
 - 155 of the 301 claims that could lose all their entitlement under the proposed CTS scheme are currently in receipt of 100% support, therefore these customers would be protected from having a nil entitlement = **£183,175**
- **Anyone who would be entitled to 100% support should be required to pay no more than 8.5% of their liability**
 - 17,085 customers have been identified as receiving 100% support and not affected by the capital limit of £6000. Of these the following groups currently have non-dependants on the claim who have 'passported benefit':

- 239 customers in the protected group = **£82,024** savings reduced (239 X £6.60 per week for introduction of non dependant deductions for those on JSA (IB)).
- 594 customers in the other and passported group = **£203,860** savings reduced (594 X £6.60 per week for introduction of non dependant deductions for those on JSA (IB)).

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Appendix G - Impact Needs/Requirement Assessment Completion Form

Department: Brent Customer Services	Person Responsible: Richard Vallis
Service Area: Revenues & Benefits	Timescale for Equality Impact Assessment : To be completed by 28 November
Date: November 2012	Completion date: 26 November 2012
Name of service/policy/procedure/project etc: Council Tax Discounts and Exemptions changes for empty and second homes	Is the service/policy/procedure/project etc: New <input checked="" type="checkbox"/> Old <input type="checkbox"/>
Predictive <input checked="" type="checkbox"/> Retrospective <input type="checkbox"/>	Adverse impact <input type="checkbox"/> Not found <input checked="" type="checkbox"/> Found <input type="checkbox"/> Service/policy/procedure/project etc, amended to stop or reduce adverse impact Yes <input type="checkbox"/> No <input type="checkbox"/>
Is there likely to be a differential impact on any group? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Please state below:
1. Grounds of race: Ethnicity, nationality or national origin e.g. people of different ethnic backgrounds including Gypsies and Travellers and Refugees/ Asylum Seekers Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	2. Grounds of gender: Sex, marital status, transgendered people and people with caring responsibilities Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
3. Grounds of disability: Physical or sensory impairment, mental disability or learning disability Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	4. Grounds of faith or belief: Religion/faith including people who do not have a religion Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5. Grounds of sexual orientation: Lesbian, Gay and bisexual Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	6. Grounds of age: Older people, children and young People Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Consultation conducted Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Person responsible for arranging the review: Richard Vallis	Person responsible for publishing results of Equality Impact Assessment: Richard Vallis
Person responsible for monitoring: Richard Vallis	Date results due to be published and where: Special Full Council meeting 10 December 2012
Signed: Richard Vallis	Date: 26 November 2012

Appendix G - Impact Needs/Requirement Assessment Completion Form

Please note that you must complete this form if you are undertaking a formal Impact Needs/Requirement Assessment. You may also wish to use this form for guidance to undertake an initial assessment, please indicate.

1. What is the service/policy/procedure/project etc to be assessed?

Changes to Council Tax exemptions taking effect from 1 April 2013 allow the Council discretion to vary the discount applicable to certain classes of empty domestic properties. These relate to:-

1. Class "A" properties – properties which are undergoing alteration or are uninhabitable. These are currently exempt from Council tax for 12 months. The new regulations allow the council to set a discount ranging from 0% to 100% for this class of property. Proposal is to set a discount of 50%
2. Class "C" properties – properties which are empty and unfurnished. These are currently exempt from Council tax for 6 months. The new regulations allow the council to set a discount ranging from 0% to 100% for this class of property. Proposal is to set a discount of 0%

In addition it is proposed to allow authorities to remove the 10% discount applicable to owners of second homes (furnished properties that are no-ones main residence) and raise a 150% charge to owners of long term empty properties (properties that have been empty for more than 2 years).

Note that owners of empty furnished properties are currently treated as second homes and receive a 10% discount. Under the new proposals this 10% discount will be removed which will result in the council tax charges for empty furnished and empty unfurnished properties being the same

2. Briefly describe the aim of the service/policy etc? What needs or duties is it designed to meet? How does it differ from any existing services/ policies etc in this area

Maximise income from Council tax. It is proposed to use the additional income (approx. £1.2M) from this to offset the cost to the council of reduction in Council tax benefit funding from 1/4/2013 (council tax benefit being replaced by a new council tax support scheme designed by the council).

The change will also encourage owners of empty homes to bring them back into use quicker than at present and so will assist the Council's Empty Homes team in meeting their objectives

3. Are the aims consistent with the council's Comprehensive Equality Policy?

Yes:-

- One Borough – by levying a charge on empty properties this will encourage owners to bring them back into use earlier. This will make more homes available for occupation and help alleviate the pressures on the current housing market. In addition the Council Tax raised from these charges will be used to offset the reductions in benefit grant which will result in a more generous Council Tax support scheme which will help those least able to pay.
- One Community – empty homes can be a blight on the community, anything that encourages their use or bringing back to a decent standard will only improve the area and the quality of the housing stock
- One Council – one of the priorities is to maximise the housing stock, and this change will help achieve that. Based on the limited data we hold about those affected by the proposals there is no evidence of these changes affecting any one group or community.

4. Is there any evidence to suggest that this could affect some groups of people? Is there an adverse impact around race/gender/disability/faith/sexual orientation/health etc? What are the reasons for this adverse impact?

There are no ethnicity/gender/faith/sexual orientations details held about the owners of properties that may be affected by the changes. However those affected are property owners whether they be private individuals, housing associations or private companies. There is no evidence of specific groups of people being affected. At any one point in time there are approximately 2,000 owners that will be affected by these changes.

Appendix G - Impact Needs/Requirement Assessment Completion Form

5. Please describe the evidence you have used to make your judgement. What existing data for example (qualitative or quantitative) have you used to form your judgement? Please supply us with the evidence you used to make your judgement separately (by race, gender and disability etc).

Details of taxpayers held on Council tax database. An analysis of the banding of properties and types of owner has been done (private individuals, companies, housing associations etc.). Less than 65% of properties affected are owned by private individuals, although this figure fluctuates depending upon class of property. With regards to the bands (properties are allocated one of 8 bands, A – H these bands reflecting the value of the property with A being the lowest and H the highest) the average band was C/D, i.e. mid range.

For Class C empty properties, (properties unfurnished for up to 6 months), 56% of these properties are owned by private companies or Housing Associations (out of a total of 650). This reflects many of these properties being owned by landlords, the properties being empty in between tenancies. By removing the current exemption this may reduce the length of time these properties are vacant. The average Council Tax band for these is "C" (this probably reflecting the numbers of housing association accommodation). With regards to empty properties owned by private individuals most of these are empty for short periods in between a change in ownership, or where a sale is pending.

For Class A empty properties (those undergoing alterations for up to 12 months) 80% are owned by private individuals (out of a total of 400). Rather than remove the exemption totally a 50% discount is recommended, this reflecting the physical condition of the property and the efforts being made to bring them back into use. The average band for these is "D", this reflecting the higher ratio of properties owned by private individuals

In respect of long term empty properties 72% are owned by private individuals (out of a total of 484) and the average Band is C/D.

For second homes there are 490 affected properties.

6. Are there any unmet needs/requirements that can be identified that affect specific groups? (Please refer to provisions of the Disability Discrimination Act and the regulations on sexual orientation and faith, Age regulations/legislation if applicable)

No

7. Have you consulted externally as part of your assessment? Who have you consulted with? What methods did you use? What have you done with the results i.e. how do you intend to use the information gathered as part of the consultation?

Whilst this aspect was not consulted upon there was consultation on the Council Tax Support scheme proposals. The results of this are contained in the main report.

8. Have you published the results of the consultation, if so where?

See above

9. Is there a public concern (in the media etc) that this function or policy is being operated in a discriminatory manner?

No

Appendix G - Impact Needs/Requirement Assessment Completion Form

10. If in your judgement, the proposed service/policy etc does have an adverse impact, can that impact be justified? You need to think about whether the proposed service/policy etc will have a positive or negative effect on the promotion of equality of opportunity, if it will help eliminate discrimination in any way, or encourage or hinder community relations.

Owners may consider the imposition of having to pay Council Tax on properties that have been empty for a short time unfair. However the charges will be the same as for empty furnished properties and will also encourage the use of empty properties at a time when there huge are pressures and demands on the housing stock.

If any owner claims exceptional hardship as a result of having to pay these charges the Council does have the power to consider remitting the debt or if the circumstances allow to defer payment pending a possible sale of the property

11. If the impact cannot be justified, how do you intend to deal with it?

Not applicable

12. What can be done to improve access to/take up of services?

Not applicable

13. What is the justification for taking these measures?

1. To offset the cost to the council of funding the council tax support scheme – if these measures weren't taken it would possibly result in a less generous scheme with customers having to pay more Council Tax. This coupled with the welfare reform changes could result in the most vulnerable suffering the most, as well as presenting collection difficulties for the Council.
2. To encourage the use of empty properties – levying a charge on empty properties should have a positive impact on owners utilising the use of their asset and making them available for occupation as soon as possible. Given the current pressures on the housing market anything that can be done to increase the housing stock has to be welcomed.
3. To encourage owners to bring properties into a decent state of repair – by making a partial charge in respect of uninhabitable properties this should encourage owners to complete the necessary works as soon as possible thereby making them available for use
4. These measures will compliment the actions of the Council's empty homes team in ensuring that properties are brought back into use as soon as practically possible

14. Please provide us with separate evidence of how you intend to monitor in the future. Please give the name of the person who will be responsible for this on the front page.

Appendix G - Impact Needs/Requirement Assessment Completion Form

Income from this will be monitored together with any comments and feedback from those affected

15. What are your recommendations based on the conclusions and comments of this assessment?

For the council to exercise its discretion and introduce from 1 April 2013:

1. Class "A" properties – reduce the current 100% exemption to 50%
2. Class "C" properties reduce the current 100% exemption to 0%
3. Long term empties – to levy the 50% premium so that the charge for properties empty for more than 2 years is 150%
4. Second Homes – to remove the current 10% discount so that owners of second homes pay 100% council tax

Should you:

1. Take any immediate action? No
2. Develop equality objectives and targets based on the conclusions? No
3. Carry out further research? No

16. If equality objectives and targets need to be developed, please list them here.

Not applicable

17. What will your resource allocation for action comprise of?

The new discounts applicable to these classes of empty property will be reviewed having regard to additional changes raised, collection, changes to numbers of properties that fall within these classes, etc. This will be done by the Revenues Client team and reported to the departmental management team.

If you need more space for any of your answers please continue on a separate sheet



Signed by the manager undertaking the assessment:

Full name (in capitals please): RICHARD VALLIS

Date: 21 November 2012

Service Area and position in the council: Revenues & IT Client Manager, Brent Customer Services

Details of others involved in the assessment - auditing team/peer review: Elizabeth Bryan, Neil Gann

Once you have completed this form, please take a copy and send it to: **The Corporate Diversity Team, Room 5 Brent Town Hall, Forty Lane, Wembley, Middlesex HA9 9HD**

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Appendix H

Proposed Local Council Tax Support Scheme (To be issued under separate cover)

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