

Discretionary Award Payments for Council Tax Reduction

Purpose	<i>The purpose of the policy is to ensure that a consistent approach is taken when assessing applications for Discretionary Awards (DA) for Council Tax Reduction</i>
Scope	<i>Buckinghamshire Council's Council Tax Reduction Scheme (CTRS) includes a discretion to give extra support to claimants who are struggling to make payments towards their council tax liability, particularly those facing hardship. This Policy sets out the factors that will be taken into consideration when applications for DA are received.</i>

Background

Buckinghamshire Council's Council Tax Reduction Scheme (CTRS) includes an additional discretion to give extra support to claimants who are struggling to make payments towards their council tax liability, particularly those facing hardship under section 13a 1 (a) Local Government Finance Act 1992 . This Policy sets out the factors that will be taken into consideration when applications for DA are received.

Discretionary awards should be seen as a short-term emergency fund. It is not considered as a way around any current or future entitlement set out within the Council's Council Tax Reduction Scheme, and cannot be used to offset court costs.

Main features

The main features of the scheme are:

- Each application will be considered on its own merits
- DA is purely discretionary; an applicant does not have a statutory right to an award;
- Administration of the scheme is managed by the Benefit Service
- DA is normally a short term award to help applicants through a difficult period, and should not be regarded as a long term measure. However in some circumstances it can be awarded for longer periods.
- In most cases the minimum amount of Council Tax Reduction must be in payment for an ongoing award of DA to be considered.
- It is paid to assist with the payment of council tax taking into account how and why additional help is needed, whether to reduce arrears or to help with paying any ongoing charge.

DA's have a positive impact on the lives of those who are struggling to meet their council tax liability. The Council will look to use DA's:

- To help minimise hardship
- Alleviate poverty;
- Keep families together

- Help young people in the transition to adult life
- To provide additional financial support to those in greatest need
- To help ease the burden for those suffering ill health
- To support vulnerable people in the community
- To encourage residents to obtain and sustain employment
- To help applicants through personal crises and difficult events.
- Help those who are trying to help themselves

Qualifying criteria for a DA

DA's can only be awarded if the claimant is:

- The liable person named on the council tax account

DA's cannot be awarded for:

- Costs incurred due to recovery action on applicants council tax account.

The right to seek a review

The Council has set up its own review process to cover a refusal to award a DA, a decision to award a reduced amount of DA, and the effective date of the award or a decision that there has been an overpayment of a DA.

An applicant (or someone acting on their behalf) who disagrees with a DA decision may dispute the decision. A request for a review shall be delivered in writing/email to the Benefit Services within one calendar month of the written decision.

The decision will be reviewed by an independent officer who was not involved in the original decision. When considering the review, the officer will have regard to any further evidence supplied. The claimant will be notified of the review decision as soon as possible after it has been made.

Any Appeal against a decision made under this Discretionary Awards policy should be made to the Valuation Tribunal.

Overpayments

The Benefit Service will seek to recover any DA found to be overpaid as a result of misrepresentation or failure to disclose a material fact, either fraudulently or otherwise.

It is most unlikely that we would seek to recover any overpaid DA if it was caused by an official error, unless it is reasonable to expect the claimant to know that they were being overpaid at the time.

Fraud

The Council is committed to the fight against fraud in all its forms. A claimant who tries to fraudulently claim a DA falsely declaring their circumstances, or providing a false statement of evidence in support of their application, may have committed an offence. Where it is suspected that such a fraud may have occurred, the matter will be investigated as appropriate and this may lead to criminal proceedings being instigated.