**London Borough of Croydon**

**Council Tax Discretionary Relief**

In accordance with section 13A(1)(c) of the Local Government Finance Act 1992

(This relief is totally separate from the Council Tax Reduction scheme operated by London Borough of Croydon).

1. **What is a section 13A(1)(c) Award?**
	1. Discretionary relief: A short-term, one-off benefit designed to ease the financial situation for people who are suffering severe hardship and have no way of paying their full council tax bill.
	2. Section 13A(1)(c) of the Local Government Finance Act 1992 allows the Council to reduce the amount of Council Tax payable. Section 13A(1)(c) discount awards will be used to help mitigate the escalation of needs that arise from unforeseen or exceptional circumstances that threaten the Council taxpayer’s abilities to fund the cost of council tax and may threaten their ability to remain in their homes.
	3. There is a financial implication to awarding discounts under Section 13A(1)(c) from Council funds, which are derived from Council Tax. The Council has a duty to Council Tax payers, so given that the cost of any awards will fall to be met by the Borough taxpayers, any applications must consider the best use of Council resources. This will be achieved by asking for a range of information to support each application as laid out below.
2. **Background**
	1. Section 13A (1)(c) of the Local Government Finance Act 1992, as amended by section 10 of the Local Government Finance Act 2012, gives the council discretion to reduce the amount of council tax a person is liable to pay.
	2. This discretion is additional to council tax reductions available from:
		1. Statutory discounts and exemptions
		2. Croydon Council’s Council Tax Reduction scheme (previously known as Council Tax Benefit)
	3. This document provides a guide to the Authority in its use of this discretionary power. This consists of a set of criteria which should be met in full or part depending on the case concerned, notwithstanding that each application will be assessed on its own merits. Key to the decision is the evidence supplied by the resident which will be required to support their claim.
3. **How to claim a Section 13A(1)(c) discretionary reduction**
	1. The application should relate to the current council tax year, unless the liable person has just received an account following late valuation for a previous year(s).
	2. An application must be in writing and be made by the person liable for Council Tax at the property or by someone authorised to act on their behalf, proof of consent should also be provided.
	3. Applications may be lodged by post, or by email to the Enablement and Move on Team within Housing Needs and Solution Division dhp2@croydon.gov.uk Please ensure that any emails are titled “Council Tax Section 13A(1)(c) Application”.
	4. All applications must be supported by sufficient evidence for the Authority to properly determine the claim. (Section 4 below provides a non-exhaustive list of the criteria against which the application will be assessed).
	5. After receipt, the Authority may request further evidence in support of an application.
	6. Separate claims must be made in respect of different dwellings and/or council tax account.
	7. In the first instance, an application will be determined by an Officer of the Enablement and Move On Team and a decision will be made within 14 calendar days.
	8. A review would be heard by the Strategic Collection Manager in our Resources Division or nominated manager and the review will be heard and decision made within 28 calendar days.
4. **How claims will be assessed**
	1. The Authority will usually only consider using its powers to reduce council tax liability for any council tax payer or class of payer in exceptional circumstances. However, we will consider each application on its own merits. Examples of the criteria against which we may assess an application are provided below:
	2. Evidence of exceptional financial hardship or exceptional personal circumstances.
	3. Financial statement of household must be completed and entered with Section 13A(1)(c) request. (Please see Appendix 1 below)
	4. Details as to how the claimant has attempted to meet their liability prior to the application.
	5. All other eligible reductions, discounts and relief in respect of council tax has been considered and where applicable claimed and awarded.
	6. The amount outstanding/claimed did not arise and was not as a result of the refusal of the person liable for Council Tax to pay, while they had the financial means to do so.
	7. The situation and reason for the application must be outside of the taxpayer’s control.
	8. The claimant has taken all reasonable steps to increase the household’s income and/or minimise outgoings.
	9. The claimant has no other assets or means that could be used to meet or reduce their council tax liability.
5. **Notification of decisions and payment of awards**
	1. Amount of discount
	2. The amount of reduction will depend on your individual circumstances and your need at the time of making the application. Consideration will be given to your financial and personal circumstances.
	3. Any reduction granted will be paid direct to your council tax account to reduce future payments of council tax. You will receive a new council tax bill, and if you pay your council tax bill via instalments, your instalments will be recalculated.
	4. Notification of decisions and the reasons will be forwarded as soon as possible (as per the timescales set out in 3.7 and 3.8) and contain information on the review process (see section 6 below).
	5. Where an award is agreed, the notification letter will advise the level of award and the period to which it relates. Payment will be by means of credit to the relevant council tax account.
	6. Being granted section 13a does not guarantee that a further award will be made at a later date even if the resident liable for Council Tax circumstances have not changed.
6. **Review of a decision**
	1. Any request for a review of a decision should be made in writing within a calendar month of the date on the notification letter. This should be sent to dhp2@croydon.gov.uk .On receipt, the application together with any additional information supplied with the review request, will be considered within 28 days by a senior Manager not involved in the original decision.
	2. If the applicant remains dissatisfied following the internal review, an appeal can be made to the Valuation Tribunal within two months of the date of the decision sought to be appealed. The Valuation Tribunal is an independent government organisation that considers disputes relating to Council Tax and Business Rate issues. For further information on time scales and how you can make an appeal please go to <https://www.valuationtribunal.gov.uk/your-appeal-type/council-tax/council-tax-liability-2/>
7. **Ending or cancelling the reduction**
	1. In all cases the reduction will end either:
		1. At the end of the financial year; or an earlier agreed date
		2. On the same day as the closing of the applicant’s account; or
		3. Where information indicates the applicant’s circumstances (or that of another household member) have changed, on the date of the change. As per the declaration on the claim form, applicants must inform of any changes in their circumstance.
8. **Fraudulent claims**
	1. The Authority remains committed to tackling fraud and will consider prosecuting any person who knowingly makes a false statement or provides fraudulent evidence in support of an application.
	2. In the event that a reduction in council tax liability results from a false statement made knowingly or recklessly, the Authority reserves the right to withdraw the award and would be notified in writing.



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| --- | --- |
| Name |  |
| Property address where relief is being requested |  |
| Council Tax Reference |  |
| Benefit claim reference |  |
| Telephone number |  |
| Email address |  |

|  |
| --- |
| Please provide details in the space below to explain why you feel you should be considered for a Section 13a discretionary relief payment. |
|  |

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| --- |
| Are you waiting for the outcome of an application/appeal for any other benefit? (Please tick) |
| Yes |  | No |  |
| If yes please provide further details below |
|  |

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| --- |
| Do you have any capital/savings/stocks/shares or financial interest in other properties? |
| Yes |  | No |  |
| If yes please provide further details below |
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| Please complete the income and expenditure form (Appendix 1)Please provide as much information as possible on this form. The Council may ask you to provide further documentation to evidence any information that you have provided. |
| **Documents to provide**All applicants must provide documentary evidence in support of their claim.* Confirmation of all income received
* Last 3 months bank statements for all accounts held
* Documented evidence of any other savings/stocks/shares/financial interest in other properties
* Any other relevant additional information
 |
| **Privacy notice**You have made an application for assistance to Croydon council’s Enablement and Move on Team within Housing Needs and Solutions Division. In order to progress your application and determine whether you are eligible for our services, we may need to make enquiries on your behalf and speak to a number of people within the Council and with other external organisations about the personal information that you have provided us with.Housing Needs and Solutions Division collects Personal and Special Categories of Data as defined in the General Data Protection Legislation (GDPR) 2018 and the Data Protection Act 2018 about the individuals and families who approach our service. To comply with Data Protection Law, we will inform you whether you are required by law to provide us with certain personal information; if you do have a choice as to whether to provide information that is not mandatory, we will request your consent. This means that we will explain the different ways that we will use your information and provide you with sufficient information to make a choice as to whether or not you wish to continue using our service. Your consent may be withdrawn at any time. If you wish to withdraw your consent, please inform the Council without delay by contacting dhp2@croydon.gov.uk and tell us which service you are involved with so we can deal with your request. If you withdraw your consent, we may not be able to provide certain products or services to you. If this is the case, we will tell you. Where applicable the Council and its partners may re-visit and ask you for your consent in respect of how we use your personal data.Your personal data is collected, stored, destroyed and maybe shared in compliance with our legal obligations under the GDPR and Data Protection Act 2018. For more information about how and why the Council uses your data and your individual data rights, please see the Council’s corporate Privacy Notice at [www.croydon.gov.uk/privacy](http://www.croydon.gov.uk/privacy) **What information we hold about you**When dealing with your application, this may include all or some of the following:* name
* date of birth
* address
* email address
* contact phone number
* health (for example, any disabilities, illnesses, mental health problems, addictions/dependencies, any support you receive in relation to these)
* ethnicity
* benefits
* employment status
* gender
* first language and other languages
* financial information e.g. earnings, debts, arrears
* caring responsibilities
* whether you have a bank or building society

**How your information will be used and shared:**The Enablement and Move on Team aims to provide support to customers by creating long-term solutions such as stable housing and maximising income and also helping you to support yourself independently. We also provide:* Help to identify the assistance you need, e.g. assisting Croydon residents to claim extra benefits which can help towards regular costs such as fuel bills, healthier food, care, mobility and council tax.
* Provide support and advice on managing your money
* Support you to live in affordable accommodation

To assess your eligibility to access our services, we may need to share your personal information as listed above with the following agencies including but not limited to: * Internal Council departments (e.g. environmental services, social services, income and benefits, early years help, education department, Housing, Council Tax, Children’s Services (including Early Help and or Social Care), Adult Services, Education / Schools etc)
* Department for Work and Pensions (DWP)
* Government and other agencies (e.g. HM Revenue & Customs, the Police)
* Landlords (previous and current)
* Partner agencies (e.g. charities, CAB and Employment Agencies).
* Health and medical professionals
* Credit reference agencies such as Experian

The Enablement and Move on Team will treat your information as confidential and we will not share it with any other organisation unless we are required by law to share it or unless you or any other person will come to some harm if we do not share it. We will only ever share the minimum information we need to share.Your information may be also used by other Council departments to provide you with a complete service where necessary and in compliance with the GDPR and DPA 2018. This also assists us to provide other statutory functions and helps us build a picture of your wider circumstances, to avoid duplication where we already may have information about you, and to produce statistics and reports to plan our services. Statistics are used in such a way that individuals cannot be identified from them unless you have agreed that your personal information can be used for that research.Where we share your information to other organisations we ensure the process complies with the standards of the GDPR and the Data Protection Act 2018, We will not share your information with third parties for commercial or marketing purposes. |
| **Declaration**I confirm that the information that I have provided the Enablement and Move on Team is correct to the best of my knowledge and I have not withheld any information.I authorise Croydon Council to make such enquiries as are necessary to confirm and verify any details given and/or to share any of my personal information with our partner agencies for the purposes outlined above.I give my consent for the Enablement and Move on Team to share my personal information as appropriate for the provision of services for the purposes outlined above. I understand that I may withdraw my consent to the disclosure of such information by notifying Croydon Council in writing or via email to: dhp2@croydon.gov.uk I also understand that if I do not provide the information required, the Enablement and Move on Team may not be able to process my application properly or at all.I understand I must inform the Enablement and Move on Team of any changes in my circumstances during the period of the award.I have read (or have had read to me) and agree with the Council’s Privacy Notice.I have read (or have had read to me) and agree with this consent form. **Customer signature:****Date:** |

Appendix 1 - Budget planner

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| --- | --- |
| Name |  |
| Address |  |
| Council Tax Account number |  |

|  |  |
| --- | --- |
| **INCOME** | **INCOME (Monthly)** |
| Wages or salary |  |
| Wages or salary (partner) |  |
| Company Pension |  |
| Jobseekers allowance |  |
| Income Support or Pension Credit |  |
| Working Tax Credit |  |
| Retirement or works pension |  |
| Child Benefit (Child tax credit) |  |
| Employment Support Allowance / Income capacity |  |
| Incapacity Benefit |  |
| Bereavement Benefit |  |
| Maintenance |  |
| Non dependents’ contributions |  |
| Carers' Allowance |  |
| Housing Benefit |  |
| Council Tax Benefit |  |
| Student Loan or Grant |  |
| Universal Credit |  |
| Other |  |
| **TOTAL INCOME** |  £  |

|  |  |
| --- | --- |
| **OUTGOINGS** | **OUTGOINGS (Monthly)** |
| Broadband  |  |
| Buildings insurance  |  |
| Car Insurance & general Maintenance |  |
| Child minding costs |  |
| Child’s pocket money |  |
| Clothing |  |
| Clothing and shoes |  |
| Contents Insurance |  |
| Council Tax |  |
| Electricity |  |
| Gas |  |
| Ground Rent |  |
| Hire-purchase  |  |
| Housekeeping inc food, toiletries, cleaning |  |
| Internet |  |
| Laundry |  |
| Leisure expenditure such as the cost of trips to the cinema, alcohol and cigarettes. |  |
| Life assurance or endowment premiums |  |
| Life Insurance and pension |  |
| loan which your home is security for |  |
| Magistrates’ courts fines |  |
| Maintenance payments |  |
| Meals at work |  |
| Mobile Phone |  |
| Mobile Phone insurance |  |
| Mortgage payments |  |
| Mortgage protection policy |  |
| Other  |  |
| Other fuel or heating costs |  |
| Pension payments including additional voluntary contributions (AVCs) |  |
| Pet costs |  |
| Phone – landline |  |
| Phone – mobile |  |
| Prescriptions and health costs |  |
| Prescriptions, dentist and glasses costs |  |
| Rent |  |
| Repayments on any finance or loan |  |
| Savings or Child Trust |  |
| School meals  |  |
| School meals and meals at work |  |
| Second mortgage |  |
| Service charge  |  |
| Travel expenses |  |
| TV Licence |  |
| TV rental |  |
| Water Charges |  |
| **TOTAL OUTGOINGS** |  **£**  |