

Council tax discretionary reduction scheme

Revenues and Benefits

Purpose

The purpose of this document is to describe how Bolton Revenues and Benefits Service will operate the council tax discretionary reduction scheme and to explain some of the factors that will be considered when deciding if help can be given. Each case will be treated on its merits and all customers will be treated equally and fairly when the scheme is administered.

The service is committed to working with the local voluntary sector, social landlords and other interested parties in the Borough to maximise entitlement to all available state benefits and discretionary schemes; this too will be reflected in the administration of this reduction scheme.

Objectives

The service will consider helping all customers who meet the qualifying criteria as specified in this document, and will seek to:

- alleviate poverty and debt problems;
- support vulnerable people in the local community;
- encourage residents to obtain and sustain employment;
- safeguard residents in their homes;
- help those who are trying to help themselves;
- keep families together;
- help customers through personal crises and difficult events.

The service considers that any help given should be seen as a short term solution to alleviate current financial/personal difficulties.

Discretionary reduction scheme

The main features of the scheme are that

- discretionary reductions to council tax can be made if the customer shows they need extra help or they are affected by the changes to the council tax support scheme and the changes made to council tax discounts and exemptions for unoccupied properties.
- any reduction granted will be paid direct to the affected person's council tax account to reduce future payments of council tax

- the scheme is purely discretionary; there is no statutory right to a reduction in council tax,

Applying for discretionary reduction

An application for a reduction in council tax can be made by the person(s) affected. An application form must be completed or a letter of application will be accepted, the council will then either ask the customer to complete a form or request further information. The application form will be available on Bolton council's website.

- The service may request any (reasonable) evidence in support of an application for a reduction, these requests for evidence will be in writing or over the phone. The customer will be asked to provide the evidence within one month of such a request although this will be extended if appropriate.
- If the customer is unable to or does not provide the required evidence, the service will still consider the application and take into account any other information already held. (If there is sufficient information to reach a decision.)
- The service reserves the right to verify any information or evidence provided by the customer in appropriate circumstances.
- The applicant may be required to attend an interview before a reduction is given

Amount of reduction

The amount of reduction will depend on the customer's individual circumstances and their need at the time of making the application.

Consideration will be given to the financial and personal circumstances of the customer.

The decision

In deciding whether to award a reduction, the following will be taken into account:

- the shortfall between the discounts/support allowed and the remaining liability for council tax including the implications of the customer being unable to pay;
- the medical circumstances (including ill health and disabilities) of the customer, their partner and any dependants and any other occupants of the customer's home;
- the amount of debt held by the customer and their household;
- the exceptional nature of the customer's and their household circumstances;

- the possibility and implications of the customer becoming homeless;
- any other special circumstances brought to the attention of the decision maker
- the income and expenditure of the customer, their partner and any dependants or other occupants of the customer's home;
- the authority will consider whether the customer has the opportunity or ability to increase their income (E.g. through work or unclaimed benefits/support) in order to meet their shortfall in council tax liability
- any savings or capital that might be held by the customer or their family;
- the effect of any Welfare Reform changes

A successful application does not guarantee that a further award will be made at a later date even if the customer's circumstances have not changed.

Changes of circumstances

The service may need to change its decision to grant discretionary reduction where the customer's circumstances have changed. The customer will be advised to notify us of any changes to their circumstances after the award has been made. The council will consider each case separately and make a decision when the change of circumstances should take effect from.

Granting discretionary reduction

The reduction will be applied to the council tax account for which the application has been made.

Notification

The Revenues & Benefits Service will deal with requests for discretionary reduction as quickly as possible, and inform the customer in writing of the outcome of their application.

Where the application is successful, the customer will be advised of:

- the amount of the reduction;
- the financial year to which it relates;
- the period of the award, if applicable;
- the requirement to report a change in circumstances;

Where the application is refused, the Revenues & Benefits Service will advise the applicant of the reasons why the decision has been made.

The right to a review

There is a right to a review where there is extra information/different evidence to that supplied in the initial application or if the applicant disagrees with the decision.

A customer (or their representative) who disagrees with a decision may request a review. This should be submitted in writing within one calendar month of the original decision. A different officer will look at the original decision and the additional evidence supplied.

There is also a further statutory right of appeal to the valuation tribunal against a discretionary council tax reduction decision.

Overpayments

The Revenues & Benefits Service will seek to recover any discretionary reduction found to be overpaid. Normally this will involve issuing a council tax bill to the customer or the person to whom the award was granted. Under no circumstances will recovery be made from any amounts of housing benefit due to the customer (except if the customer requests this method of recovery in writing). When deciding to recover discretionary reduction, officers will;

- consider the individual's circumstances,
- negotiate realistic payment arrangements
- be flexible and offer convenient methods of payment
- help customers towards attaining financial independence.