



CABINET

17TH JANUARY 2019

AGENDA ITEM (8)

COUNCIL TAX SUPPORT SCHEME FOR 2019/20

Accountable Member	Councillor AW Berry Cabinet Member for Resources
Accountable Officer	Jon Dearing Group Manager - Customer Services 01285 623304 jon.dearing@publicagroup.uk

Purpose of Report	To present the results of the public consultation on proposals for revising the current Council Tax Support scheme with effect from 1 st April 2019.												
Recommendation(s)	<p>That Council be recommended to:-</p> <p>(a) amend the current Council Tax Support Scheme in relation to Working Age claimants, including any uprating, as follows for 2019/20:-</p> <p>(i) by introducing a banded scheme which would see a simple flat rate percentage discount awarded, depending on a person's total weekly 'net' income, as follows:-</p> <table border="1"><thead><tr><th>Household weekly net income</th><th>% council tax support available</th></tr></thead><tbody><tr><td>£0 - £125.99</td><td>100%</td></tr><tr><td>£126 - £187.99</td><td>75%</td></tr><tr><td>£188 - £290.99</td><td>50%</td></tr><tr><td>£291 - £384.99</td><td>25%</td></tr><tr><td>£385 +</td><td>0%</td></tr></tbody></table> <p>(ii) by ignoring all child maintenance payments when calculating weekly income;</p> <p>(b) protect those defined as disabled (see Appendix 'C') and those in receipt of War Widows Pension and/or War Disablement Pension from all of the above changes.</p>	Household weekly net income	% council tax support available	£0 - £125.99	100%	£126 - £187.99	75%	£188 - £290.99	50%	£291 - £384.99	25%	£385 +	0%
Household weekly net income	% council tax support available												
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Reason(s) for Recommendation(s)	Having reviewed the current scheme, and taken into account the outcome of the public consultation exercise, these proposals provide a fair and robust scheme that meets the statutory provisions and the Council's obligations.												

Ward(s) Affected	All (potentially)
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Key Decision	Not applicable
Recommendation to Council	Yes

Financial Implications	<p>(i) The Council administers a Council Tax Support scheme with an annual expenditure of approximately £4.84 million.</p> <p>(ii) For 2013/14, the government reduced the level of funding for the local scheme by 10%, effectively creating a grant reduction of £483,984 p.a. across all of the precepting authorities.</p> <p>(iii) The proposed changes marginally decrease the cost of the Local Council Tax Support Scheme. This will be reflected in a small increase in the council tax base and council tax income recognised in the collection fund.</p> <p>(iv) The additional income will be spread proportionately across the major precepting authorities (Gloucestershire County Council, Gloucestershire Police and Crime Commissioner, and Cotswold District Council).</p> <p>(v) By making these proposed changes, it will increase our total tax base by 22 band D properties generating just over £175,000 of savings to the precepting bodies, including just under £2,277 to Cotswold District Council.</p>
Legal and Human Rights Implications	A billing authority must consult upon and adopt a local council tax support scheme by 11 th March 2019.
Environmental and Sustainability Implications	None
Human Resource Implications	None
Key Risks	<p>There are three key risks to consider:-</p> <p>(i) that the benefit caseload increases significantly, resulting in expenditure exceeding the levels estimated within this report;</p> <p>(ii) that the development of a Council Tax Support scheme that reduces benefit expenditure, without being supported by robust principles and consultation, could be open to legal challenge on equalities grounds;</p> <p>(iii) that our administration, collection and recovery costs (including the cost of write-offs) could increase as a result of creating additional, and relatively small, liabilities.</p>
Equalities Analysis	None

Related Decisions	<p>(i) Decisions on previous schemes - various.</p> <p>(ii) Motion at Council Meeting - 25th September 2018 (see paragraph 18 below)</p>
Background Documents	None

Appendices	Appendix 'A' - Background information for consultation purposes Appendix 'B' - Summary of public consultation responses Appendix 'C' - Consultation Report Appendix 'D' - Citizens Advice response
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Performance Management Follow Up	(i) Refer recommendation(s) to Council (ii) The Service will monitor additional expenditure against budget and this will be reported through normal budgetary control processes.
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Options for Joint Working	The scheme/approach has been developed in partnership with colleagues in West Oxfordshire.
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<p>Background Information</p> <p>1. With effect from 1st April 2013, the previous support in relation to Council Tax Liability (Council Tax Benefit) was abolished for working age claimants and replaced with a provision for Billing Authorities to create their own local 'Council Tax Support' (CTS) scheme. These local schemes would no longer be covered by Benefits legislation but would become local Council Tax Discounts; with Pension age claimants being protected under a prescribed scheme that mirrored the previous Council Tax Benefit scheme.</p> <p>2. The Government's stated policy intentions were:-</p> <ul style="list-style-type: none"> • To incentivise work - making work pay, while protecting those that cannot work; • To allow Local Authorities the flexibility to design schemes that meet local needs and conditions; and • To reduce the overall expenditure on support for Council Tax by 10%. <p>3. The funding arrangements changed in 2013 from 100% benefit subsidy to a grant based on 90% of the previous scheme (Council Tax Benefit) expenditure.</p> <p>4. In parallel with the localisation of CTS, reforms to certain classes of Council Tax exemption and discount (related to 'empty homes') meant that the Council also had local discretion to change the level of exemption/discount awarded. The Council decided to reduce the Class A exemption (unoccupied and undergoing major repair) from 100% for twelve months to 100% for six months and the Class C exemption (unoccupied and unfurnished) from 0% to 100% for the first month and 25% for the second month. Additionally, with effect from 1st April 2013, the Council decided to remove the 10% discount previously applied in respect of Second Homes. These changes meant potential increases in tax income that covered the CTS grant reduction losses for all precepting authorities.</p> <p>5. Further changes were made in 2014 and a new Local Scheme was introduced which required a minimum of 8.5% of Council Tax charge for working age customers, excluding the protected groups.</p> <p>6. Councils are required to review their schemes each year and decide if they want to make any changes. Before any changes can be implemented, they must be subject to public consultation. In July 2018, Officers proposed changes to the scheme which Cabinet agreed and approved for consultation purposes.</p>
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7. These proposals are detailed at **Appendix 'A'**; the consultation results are summarised at **Appendix 'B'**; and the full public consultation report is attached at **Appendix 'C'**. A detailed response was also received from Citizens Advice (see **Appendix 'D'**).
8. This report provides information on each of the proposals, and an analysis of the consultation exercise, so that the Cabinet can recommend to the Council a Local Council Tax Support Scheme, to take effect from 1st April 2019.
9. Under the new benefit (Universal Credit) scheme, claimants will receive calendar monthly payments encompassing their qualifying benefits. This does not include CTS which remains an administrative function of the Local Authority.
10. Research in areas where Universal Credit has already rolled out has identified trends in three key areas, as follows:
- (i) low take-up of customers in receipt of Universal Credit applying for CTS - this is through a lack of understanding by Universal Credit claimants that the payment does not include an amount towards their council tax liability;
 - (ii) large numbers of changes in circumstances received by Councils via data transfers from the Department for Work and Pensions - approximately 40% of Universal Credit cases will have an adjustment each month (as detailed below);
 - (iii) collection difficulties, with multiple demand notices being issued (as detailed below).
11. National trends have demonstrated that, on average, Universal Credit customers receive at least eight change notifications in a year. Within the existing scheme, each change to income would produce a new demand notice for the customer, amending their instalments on a regular basis, and making it difficult to collect via Direct Debit due to rules around administration.
12. The impact on residents due to multiple changes for those customers in receipt of Universal Credit would result in a knock-on effect of multiple changes to their CTS award. Using the existing scheme, which is a calculation on tapered income, any small change to income can amend the CTS award.
13. Regular changing of instalments can make it difficult for a customer to use Direct Debit as a payment method, due to the lead-in times that the Council needs to advise the customer of a change before taking payment. Multiple demand notices can also be confusing for residents to keep up with.
14. Regular changes can also provide the customer with difficulties in budgeting, as they would not have a more consistent monthly Council Tax instalment plan. This can lead to difficulties in paying which, in turn, could lead to further action and potential costs to vulnerable residents.
15. The following paragraphs explore the issues around each of the proposed changes. A more detailed explanation for each proposal is included in **Appendix 'A'**. It should be noted that, in relation to any scheme changes, there is an over-arching proposal that people with disabilities (for the detailed definition of 'people with disabilities' see paragraph 3 of **Appendix 'C'**) and those in receipt of War Widows and/or War Disablement Pension, would remain protected in the same way that Pension Age claimants are (i.e. no change).
16. The proposals are as follows:-
- (i) Introducing an Income Band Scheme
- There was overall support for this change from CTS non-recipients and recipients, with overall responses to the consultation showing that 64.71% agreed with the change and 23.53% disagreed.

(ii) Disregarding Child Maintenance Payments

The overall public consultation response was even on this aspect. However, when taking account of the strong view expressed by Citizens Advice on behalf of individuals and families that they had represented over time, there is a clear argument that such proposal should be supported.

17. Citizens Advice Comments

17.1 Cabinet will note the detailed response received from Citizens Advice. This response replicates concerns previously expressed by that organisation, and related to three specific issues which are set out and explored in more detail below:-

(i) Child Maintenance

The recommended scheme incorporates the desire of Citizens Advice to disregard all child maintenance payments when calculating weekly income.

(ii) Income Banding

Citizens Advice also supported the principle of introducing a banded scheme which would see a simple flat rate percentage discount awarded, depending on a person's total weekly 'net' income - believing that banding is a sensible way to deal with the weekly fluctuations of Universal Credit.

However, they expressed concerns at the uneven nature of some of the proposed band widths/thresholds, and put forward a revised proposal as follows:-

Band	From	To	% award
1	0	125.99	100%
2	126.00	225.99	75%
3	226.00	299.99	50%
4	300.00	384.99	25%
5	385.00		0%

Officers have undertaken some remodelling work in respect of the Citizens Advice proposal. If such proposal was to be implemented, 87 customers would move from band 3 to band 2, and 12 would move from band 4 to 3. As a result, an additional cost of £25,311 p.a. would arise. Details are as follows:-

Band	No of claims affected	Original CTR Weekly amount	Extra CTR due to changed bands	Additional annual cost
1	0			
2	87	833.50	416.75	21,671
3	12	70.00	70.00	3,640
4	0			
5	0			

If Members supported the Citizens Advice proposal, the savings to the precepting authorities would reduce to £149,689 (from just over £175,000) - equivalent to 15 band D properties; and the CDC savings element would reduce to £1,896 (from just under £2,277).

A common banding arrangement across the partner councils would be easier and simpler to administer. However, it is for each council to determine its own scheme.

(iii) Protected Groups

Citizens Advice also raised concerns about those that fall within the definition of protected groups. In this connection:-

- people receiving Personal Independence Payments (PIPs) **do** fall within the definition of Vulnerable Groups;
- Officers are investigating the other comment around Employment Support Allowance claimants losing their protected status under the Universal Credit system, and an update will be provided on this aspect either in advance of, or at, the Cabinet Meeting.

18. Timeline

The Council is legally required to have its scheme finalised by 11th March 2019, having first conducted a public consultation, and having had its scheme approved by the Council before that deadline. Therefore, the key milestones were/are as follows:-

- August 2018 - direction from the Cabinet on the scheme principles on which we should consult (achieved);
- September to November 2018 - public consultation period (achieved);
- November/December - officer review of consultation responses;
- 17th January 2019 - consideration by the Cabinet of consultation results and recommended approval of scheme (the reason for this report);
- 26th February 2019 - Council approval;
- 11 March 2019 - publish scheme and application process;
- 1st April 2019 - new scheme effective date.

19. Motion at Council

19.1 At the Council Meeting on 25th September 2018, the following Motion (No. 5/2018) regarding Council Tax Support Calculations was Proposed by Councillor JA Harris, and Seconded by Councillor Jenny Forde:-

'Council notes the Cabinet decision in 2016 to include child maintenance payments as income when calculating council tax support.

Council further notes that the demographic most affected by this change are families on low incomes and, in particular, single mothers.

This Council instructs the Cabinet to remove child maintenance payments as income when calculating council tax support, with immediate effect.

Council also resolves to refund the 183 families affected by this decision as identified by officers when justifying the inclusion of child maintenance.'

19.2 At the Council Meeting, the Chairman agreed that the Motion should stand referred to the Cabinet for initial consideration before the matter was presented for formal debate and decision by the Council in December 2018. This approach had been discussed and agreed with the Proposer of the Motion, and reflected the fact that consultation was then just under-way in relation to a new Council Tax Support Scheme for 2019/20.

19.3 In accordance with standard procedures, Councillors Harris and Forde have been invited to the Special Cabinet Meeting to present and speak to their Motion.

19.4 With particular regard to the final paragraph of the Motion, for the current financial year there are 135 customers with CTS at CDC (the figure of 183 related to 2016/17). If child maintenance payments were to be disregarded in those 135 cases, the cost to the Council would amount to £15,880.07 for the year. It should be noted that the current scheme cannot be changed mid-year - so if Members supported the suggested approach, this would need to be achieved by either agreeing additional targeted discounts or via use of the hardship fund.

(END)

Appendix 'A'

Background Information for Consultation Proposals

The following table explains the proposed changes, provides the reasoning of the proposal and an estimated potential expenditure reduction (**based on the Districts 6% portion of the collection fund**):

#	Area of Change	Explanation	Reason for Proposal	Total Estimated Expenditure Reduction/ increase	Reduction/ increase for CDC based on 7.6%	Estimated No of Affected Claims
1	Amend scheme to Income Bands and introduce a 100% discount for those on a 'net' weekly income of below £125.99	A simple flat rate percentage discount will be awarded depending on what income band a person's total weekly net income falls into.	Those customers' that are on minimum income will receive a higher percentage of support. The scheme will less confusing for council tax payers in receipt of CTS, particularly those in receipt of UC.	£42,322	£2,539	734
2	Child Maintenance Payments	Disregard in full any child maintenance payments received when calculating the net weekly income		+£4,365	+£262	86
Total saving:				£37,957	£2,277	

Appendix 'B'

Summary of Public Consultation Responses

The following table summarises the responses from the public consultation. There were a total of 54 responses to the public consultation; 3 of those were in response to postal surveys issued and 51 were on-line responses via the link on the website. The consultation ran for a period of 8 weeks (from 10 September 2018 to 9 November 2018). Of the total 54 respondents 5 indicated that they were currently in receipt of Council Tax Support (1 receiving full, 100% Council Tax Support and 4 receiving partial Council Tax Support) and 35 indicated that they were not in receipt of any Council Tax Support. 2 were answering on behalf of an organisation.

Statement within Consultation Survey	Overall Consultation Responses			Therefore, the majority views are:
	Agree	Neither	Disagree	Overall
We're considering introducing income bands so that we can apply a flat rate percentage discount to each banding	67.71%	11.76%	23.53%	Agree
To calculate a person's weekly income we currently include all child maintenance payments received. Do you think this income should be excluded when we calculate a person's weekly income?	47.06%	5.88%	47.06%	Agree/Disagree However, by adding a weighting of 30% in respect of the CAB response the majority response would be :- 77.06% agree and 17.06% disagree

Appendix 'C'

Cotswold District Council
Council Tax Reduction Scheme 2019/20
Consultation

Report

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Summary of agreement with proposed changes to the Council Tax Reduction Scheme for 2019/20

Proposal:		
To introduce income bands so that we can apply a flat rate percentage discount to each banding	% agree % <i>disagree</i>	64.71% 23.53%
To disregard in full child maintenance payments	% agree % <i>disagree</i>	77.06% 17.06%

1. Background

Cotswold District Council is required by law to have a scheme to help people on low incomes pay their council tax. For people of pensionable age there is a prescribed scheme to follow but for people of working age, subject to a few prescribed requirements, the council is free to design such a scheme as they see fit.

This requirement replaced the national council tax benefit scheme that had been in operation since 1993. The costs of the council tax benefit scheme were more or less met in full by the Government. For the new local schemes, however, the Government had reduced the amount of funding available by approximately ten per cent. For Cotswold this meant approximately £46,200.

Following public consultation in 2013 and 2016 and full Council approval its CTS scheme for working age claimants was amended for 2014/15 and 2017/18 as follows:

- I. That the entitlement be reduced to 91.5%,
- II. That the maximum capital limit be reduced to £6,000 and the first £3,000 be disregarded for the purposes of calculating the tariff income,
- III. That the Second Adult Rebate entitlement be removed,
- IV. That Maintenance payments be treated as earned income,
- V. That Support be calculated using a maximum liability of Band E,
- VI. That extended payments are increased from four to thirteen weeks,
- VII. That those defined as disabled and those in receipt of War Widows Pension and/or War Disablement Pension be protected from all the above changes.
- VIII. The Removal of the Family premium
- IX. The reduction in backdating to one month
- X. Reduce the period for which a person can be absent from Great Britain to 4 weeks
- XI. Limit the number of dependent children to a maximum of two (with exemptions)
- XII. Reduce the number of weeks for extended reduction to 4 weeks
- XIII. Disregard in full child Maintenance for those in receipt of Universal Credit

These amendments will still apply to the CTS scheme for 2019/20; however, there are amendments to IV (maintenance payments which are being proposed within the report.

2. Methodology

A postal and online survey was carried out between 10 September 2018 and 9 November 2018.

2.1 Postal survey

A consultation questionnaire was sent to the following groups:

1. All major precepting authorities
2. Bromford Housing Association
3. Citizens Advice Bureau

2.2 Online consultation

An online version of the same questionnaire was made available via the council's website. The online consultation was promoted via the website, press releases and other local publicity.

2.3 Response rates

In total 54 responses were received (3 postal returns and 51 online responses). The profile of response is detailed in section 3.

2.4 Analysis and reporting

This report highlights and comments on the key findings from the consultation. Full tabulations of the results have been provided under separate cover.

3. Definition of a 'person with disabilities'

People with disabilities are defined, by Cotswold District Council, as persons in receipt of the following:

- Disability Premium,
- Enhanced Disability Premium,
- Severe Disability Premium,
- Disability Premium for Dependants,
- Enhanced Disability Premium for Dependants,
- Disability Earnings Disregard,
- Council Tax Disability Band Reduction,
- Employment Support Allowance (any rate).
- Personal Independent Payments (PIP)

3.1 Profile of respondents

The majority of respondents were individuals responding on their own behalf. [Table 3.1]

5 of the 54 consultation respondents (11.91%) claimed to be in receipt of a Council Tax Reduction. Of these 1 said they receive a full reduction and 4 claimed to receive a partial reduction. Around a quarter of reduction recipients responding were pensioners or people with disabilities, who are protected from the impact of the proposed scheme.

Table 3.1: Sample profile – Type of respondent

	<i>No. of respondents</i>	<i>% of respondents</i>
All respondents		<i>100%</i>
Responding as:		
On own behalf	52	<i>95.35%</i>
On behalf of someone else		-
A landlord		-
Voluntary organisation	1	<i>2.33%</i>
Housing Association		-
Parish Council	1	<i>2.33%</i>
Other		-
- family members		
- other organisations		
Not stated		-
Receipt of council tax reduction:		
Any reduction		
- 100% Full reduction	1	<i>2.38%</i>
- Partial reduction	4	<i>9.52%</i>
Recipients in protected groups :		
Any protected group		
- Pensioner	8	<i>19.05%</i>
- Person with disabilities	4	<i>9.52%</i>
- Recipient of War Widows Pension		-

- Recipient of War Disablement Pension		-
- Recipients not in protected groups	42	69.05%

The demographic profile of reduction recipients responding to the consultation was relatively mixed (38.09% aged under 45, 42.086% aged 46 – 65 years, and 19.05% aged 66 or over)

Table 3.2: Sample profile – Demographic

	<i>recipients</i>
TOTAL	<i>100%</i>
Age:	
Under 18	<i>0.0%</i>
19 to 25	<i>2.38%</i>
26 to 45	<i>35.71%</i>
46 to 65	<i>42.86%</i>
66 and over	<i>19.05%</i>
Household composition:	
Single person	<i>14.29%</i>
Lone parent	<i>7.14%</i>
Couple with children	<i>35.71%</i>
Couple	<i>35.71%</i>
Other	<i>7.14%</i>
Not stated	<i>-</i>

4. Full detail of proposals

Proposed change number 1:

Amend scheme to Income Bands and introduce a 100% discount.

Income bands will allow people to vary their hours at work without losing support. The new scheme will also give applicants more certainty about how much council tax they need to pay, and will result in fewer council tax bills if their income fluctuates within the same band.

The benefit of this is:

- It supports those on the lowest income by giving 100% council tax support discount

The drawbacks of doing this are:

- Those working age residents in the higher income bands may see a reduction in the amount of support they receive

Proposed change number 2:

Disregard in full child maintenance payments.

Currently claims for Council Tax Reduction from working age claimants who are not in receipt of Universal Credit but receive child maintenance have this payment included as other income within their CTS assessment.

The benefit of this is:

- It brings the scheme in-line with all other welfare benefits by disregarding this income.
- The council will be meeting its responsibilities for mitigating child poverty
- Customers in receipt of Child Maintenance will see an increase in the amount of support they receive

The drawback of this is:

- Those residents receiving the same level of income of those in receipt of Child Maintenance may be worse off

5. Other comments

Within the consultation respondents were asked if they had any other comments about the proposed changes to the scheme.

There were few common themes, although a few issues were raised by a number of respondents:

- For those people who receive a high amount of child maintenance to be disregarded concerns were raised that it would be unfair on middle earning

- Support to disregard child maintenance as a good way for single parents to provide for their families
- Concerns were raised as to why people were on low incomes
- Concerns by some that using a flat rate assumes people are equal
- Concerns on hard working people and introducing another income based taxation system
- An appreciation of the need to reduce funding

Appendix 'D'

Citizens Advice Response:

Proposed Changes to Council Tax Reduction Scheme

Question 3 Do you have any other comments about the proposed changes to Council Tax Reduction Scheme in the Cotswold District Area.

1. Child maintenance

We support the removal of the Child Maintenance from the calculation of Council Tax Reduction (CTR) for the following reasons:

- It is disregarded by central government for all means tested benefits including Universal Credit
- Using the figures presented to Cabinet on 17 Nov 2016 where the decision was taken to include Child Maintenance, 183 households would be £519 a year worse off.
- Child Poverty Action Group (CPAG) has advised us that under the Child Poverty Act 2010, local authorities have prime responsibility for mitigating child poverty, the current CTR scheme including child maintenance as income, we feel, acts contrary to this responsibility.
- CPAG advised us the use of the following legal challenges could be mounted in respect of the inclusion of child maintenance as income;
 - (i) indirect discrimination as women most likely to be affected
 - (ii) direct discrimination against those in receipt of legacy benefits compared to those in receipt of UC. It seems that you could have a household on the same benefits income but one gets it through UC and one through legacy benefits; the former will not have child maintenance taken into account for CTR purposes but the latter will despite their overall financial situation (and therefore financial need, the relief of which is the statutory purpose of CTR) being the same
 - (iii) a failure to comply with s147 Equality Act public sector equality duty, particularly if there has been no Equality Impact Assessment (the most usual way of showing s147 has been complied with)
 - (iv) potentially an irrationality argument if child maintenance is not taken into account for council tax assessment but is for CTR.
- CPAG also advised not all unequal treatment amounts to unlawful discrimination if the difference in treatment can be justified. In the field of welfare benefits the government/local authorities have quite a lot of leeway on justification but one particular issue of relevance here is that child maintenance is obviously meant to benefit the child and so arguments over the duty to give primary consideration to the best interests of the child potentially feature.
- We are aware that the national Citizens Advice team have an interest in this consultation as there may be implications for other local authorities.

2. Income banding

We do agree that banding is a sensible way to deal with the weekly fluctuations of Universal Credit.

The proposal to provide 100% CTS for those in receipt of net income of less than £125.99, seems reasonable.

We are concerned that the proposed band widths (on page 1 of CTRS Consultation document) seem to be uneven; a £62 band at 75% support, £103 band at 50% support, £93 band at the 25% support.

We would suggest £188 (bottom of 50% CTS band) for a household of 2 adults (one would already be getting 25% single person discount) is still very low income and would suggest increasing the £62 band to a £100 band for 75% support and adjust the upper two bands accordingly to leave the top band of £385+ with 0% CTS.

3. Protected Groups

We have found no evidence of discussions nor consultation on the change to exclude some residents from protected status.

CDC website on Council Tax Reduction states:

Changes proposed will have no impact for those in vulnerable groups or those in receipt of a state pension.

The previous Council tax benefit where people on benefits had some or all of their Council tax paid was stopped by the Government in April 2013. It was replaced with the Council Tax reduction scheme that was mainly funded by a Government grant.

A new Council tax support scheme started on 1 April 2017. Pensioners and people receiving the following benefits will be a 'protected group' when we're calculating Council tax claims:

- Disability premium
- Enhanced disability premium
- Severe disability premium
- Disability premium for dependants
- Enhanced disability premium for dependants
- Disability earnings disregard
- Council Tax disability band reduction
- Employment support allowance (any rate)
- War disablement pension
- War widows pension
- **Personal Independent Payment (PIP)**

There is a box on this consultation survey defining Vulnerable Groups listing all the above categories with the exception of Personal Independent Payment (PIP). We were not aware this benefit was being dropped from the vulnerable group and are not aware of any consultation on this.

We have become aware that residents who would have been claiming Employment Support Allowance at any rate and had been protected, but now when they have to make a claim under Universal Credit have lost their protected status.

We do not believe it is correct that these clients should lose their protected status.

- Using the government's own benefit calculators and Citizen's advice benefits calculator, people claiming Universal Credit with limited capability for work (UC LCW) are a protected group.

- Shelter and The Chartered Institute of Housing, Guide to Universal Credit & Council Tax Rebates, Vol 1 2018-2019 states paragraph 1.11 a states 'you get maximum CTR if you are on a passport benefit (JSA(IB), ESA(IR), IS or guarantee credit of SPC) and also if your only income is from UC.'

We would ask you to look again at the treatment of claimants previously eligible for ESA Support but on a change of circumstances (such as moving house) had to apply for UC with LCW. The loss of their protected group status has in one case meant a client who had previously been paying £65 CT a year losing all her CTR and having to find £693 extra for council Tax a year.