

# Maldon District Council



## COUNCIL TAX DISCOUNT POLICY CARELEAVERS

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**Version control**

<b><u>Issue</u></b>	<b><u>Date</u></b>	<b><u>Purpose</u></b>	<b><u>Author</u></b>
1	March 2020	New Policy for review	Michelle Lamarre

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# Part 1 – Introduction and Purpose

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The purpose of this policy is to ensure that a care leaver living alone or solely with other care leavers will pay no council tax (in much the same way as the exemption which is applied to students). A care leaver who joins a household which already pays council tax will be granted as much relief as is required to ensure that the existing council tax liability does not increase as a result of their presence in the household.

This policy utilises the discretionary power available to billing authorities arising from S13A(1)(c) of the Local Government Finance Act 1992 to reduce, or further reduce, the amount of council tax a care leaver is liable to pay with effect from 1 April 2020.

The discount is administered by Maldon District Council via the Council Tax system

The level of discount will be decided by the council.

## PART 2 - Definitions

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**For the purpose of this policy, a 'care leaver' is defined as:**

- A person aged up to 21, who has either
  - (a) been looked after by Essex County Council for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date; or
  - (b) who is entitled to leaving care support from Essex County Council

**The Children Act 1989 defines the categories of children entitled to leaving care support as:**

- 'Eligible children' are those young people aged 16-17 who are still in care and have been 'looked after' for a total of 13 weeks from the age of 14 and including their 16th birthday;
- 'Relevant children' are those young people aged 16 and 17 who have already left care, and who were 'looked after' for at least 13 weeks from the age of 14 and have been 'looked after' at some time while they were 16 or 17;
- 'Former relevant children' are those young people aged 18, 19 or 20 who have been eligible and/or relevant.

## PART 3 – Policy Application

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For the purpose of calculating the amount of discretionary council tax reduction to apply, care leavers and those in their household are required to take steps to minimise their liability for council tax by claiming discounts, exemptions and council tax reduction.

After all discounts, exemptions and council tax reduction have been claimed the Council will reduce the council tax liability so that the liability of the household is the same that it would have been had the care leaver been a 'disregarded persons' (such as students) as detailed in s11 and Schedule 1 of the Local Government Finance Act 1992

For example:

- A care leaver joining an existing household with a single person discount in place will be given sufficient discretionary relief to ensure that the council tax liability does not increase as a result of their presence.
- A household where only care leavers are liable to pay council tax will be given sufficient discretionary relief to extinguish the council tax liability completely.
- A care leaver in a property, which would otherwise be exempt from council tax, will be given sufficient discretionary relief to ensure that no council tax continues to be payable.

The Council's scheme of delegation allows for an officer to award, revise or revoke an award.

The care leaver will be required to provide adequate information to enable Maldon District Council to determine eligibility.

The discount will be applied from the date that the liability commences and will continue until the liability ends or the care leaver reaches the age of 21.

Bills will be sent to confirm any reduction applied.

## PART 4 – Monitoring

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The policy will take effect from 1 April 2020 and the cost will be monitored throughout each financial year. Reimbursement of ECC's share of the cost will take place in arrears as agreed by an amendment to the existing Council Tax Sharing agreement, which has been in place since 2013/14