



Eastleigh Borough Council

Policy for Care Leavers Discount Scheme

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Introduction

Eastleigh Borough Council is introducing a discount from 1 April 2020 to exempt care leavers from Council Tax. This is being implemented to reflect challenges faced by many care leavers as they learn to budget their finances independently.

Care leavers are a particularly vulnerable group for Council Tax debt, and as they move into independent accommodation and begin to manage their own budget, it can be a challenging time, exacerbated if they fall behind with Council Tax. Eastleigh Borough Council wants to support care leavers within the Borough by reducing their Council Tax liability by up to 100% between the ages of 18 – 21 and up to 50% between the ages of 21 to 25.

All care leavers are entitled to the support of a Personal Adviser (provided by Hampshire County Council) until they reach the age of 25. Eastleigh Borough Council's policy aims to run in parallel with support from a Personal Adviser to gradually develop a care leaver's ability to contribute to local services by paying council tax. The policy will encourage care leavers to prepare for paying 50% of their council tax with the support of a Personal Advisor, and then be able to pay for 100% from the age of 25.

This means that Eastleigh Borough Council will be providing financial support to care leavers living within the Borough whilst they develop independent lives and life skills. To deliver this support the Council will determine that following the award of Council Tax disregards, exemptions and discounts, any remaining charge will be reduced by up to 100%. The remaining charge is reduced through the provision of write off administered in accordance with the Council's financial regulations. The costs of support will be met by the Collection Fund.

This policy sets out Eastleigh Borough Council's approach to the award of this discretionary Council Tax discount.

There are two parts to this scheme:

Part 1

- Care leavers who are sole occupants and have liability for Council Tax.
- Properties that are solely occupied by care leavers, where one or more of the occupants are liable for Council Tax.

Part 2

- Care leavers who are jointly liable with one or more other liable parties who is not a care leaver. The support will only be applied after the entitlements to other national discounts/exemptions have been applied.

Definition of a Care Leaver for the purposes of this scheme

The term 'care leaver' is defined in The Children (Care Leavers) Act 2000 and refers to eligible, relevant and former relevant children:

- The person is someone for whom a Local Authority Children's Services has acted previously as a corporate parent;
- 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.

Care leavers can also be classified as a 'qualifying' care leaver. This category applies to

young people who:

- Left care after 1st October 2001, after they had turned 16, but who are not 'eligible' or 'relevant' because they did not fulfil the 13 week criteria;
- Were accommodated, but in residential education, mental/health provision private fostering or Special Guardianship.

For the purposes of this policy 'qualifying care leavers' will be treated in the same way as 'care leavers'.

Additionally former care leavers born before 2001 will be designated as a qualifying care leaver for the purposes of this policy.

Discounts for care leavers falling into Part 1 of this scheme

The Council under this policy will write off 100% of the Council Tax payable for care leavers under the age of 21 and by 50% for care leavers between the age of 21 to 25, after the application of all other national discounts and exemptions, where:

- A care leaver, as defined in this policy, is liable for Council Tax, and any other adult occupants also meet the definition of care leaver as described in this policy.

Discounts for care leavers falling into Part 2 of this scheme.

The Council under this policy will reduce the amount of Council Tax payable, by applying a write off up to 50% of the remaining charge for care leavers aged between 18 to 21 and up to 25% for care leavers aged between 21 to 25, after the application of all other national discounts & exemptions, where:

- One or more care leavers, as defined in this policy, are liable for Council Tax, and other adults occupy the property who are not care leavers.

Exclusions

- This will only apply where the property is occupied and a care leaver is liable for Council Tax.
- Where the care leaver is liable for more than one property, this support will only be awarded in respect of their main residence.
- Where a care leaver lives in a household and the liable person would be exempt from Council Tax if the care leaver did not reside at the property, the full charge will be reduced to nil.

Publication of the changes

The Council, in accordance with the legislation, will publish the changes to the Council Tax regime within 21 days of making such a resolution.

Application Process

A formal application will need to be completed and submitted to the Revenues Department. Along with the claim form the care leaver must also provide a letter from their relevant 'Child Services' to confirm their eligibility as a care leaver.

Notifying the Council Tax payer of any award decision

This support will be administered by the Council's Revenues Team, and the revised Council Tax charge will be notified to the Council Tax payer via the issue of a Council Tax bill.

Both the amount and the duration of the award are determined at the discretion of the Council, and will be done so on the basis of the evidence supplied and the circumstances of the claim.

The start date of such a payment and the duration of any payment will be determined by the Council.

In line with legislation, any award shall be granted as a percentage reduction in the liability of the Council Tax Payer thereby reducing the amount of Council Tax payable through a write-off procedure.

Where an application for this support does not meet the policy's eligibility criteria, the applicant will be advised that their application has been rejected, and will be provided with an explanation of our decision.

Appeals

Eastleigh Borough Council will accept an appeal in writing from a care leaver, or their appointees or recognised third party acting on their behalf, or the liable party where relevant for a re-determination of its decision.

The Revenues Team will provide its response to any appeal within 28 days of receiving any request.

If the applicant remains dissatisfied, following the appeal process, they may seek a Judicial Review.

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1	July 2017	KT	Policy
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