



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	CABINET – 12 OCTOBER 2022
Report Number	AGENDA ITEM NO 9
Subject	EXCEPTIONAL HARDSHIP POLICY
Wards affected	All
Accountable member	Cllr Dan Levy – Cabinet Member with responsibility for Finance Email: dan.levy@westoxon.gov.uk
Accountable officer	Mandy Fathers – Business Manager for Operations and Enabling Email: mandy.fathers@publicagroup.uk
Summary/Purpose	To consider and approve the implementation of an Exception Hardship Policy to ensure additional financial assistance is available to help with Council Tax payments to those residents who are in severe financial hardship
Annexes	Annex A – Exceptional Hardship Policy
Recommendation(s)	That the Cabinet: <i>a) Approve the Revenues spend to support this scheme;</i> <i>b) Approve the implementation of the Exceptional Hardship Policy as a matter of urgency;</i> <i>c) Note the additional revenue given by Oxfordshire County Council in support of this Policy; and,</i> <i>d) Give delegation to the Group Manager for Resident Services to approve all payments made under the Exceptional Hardship Policy</i>
Corporate priorities	<ul style="list-style-type: none">Delivering excellent modern services whilst ensuring the financial sustainability of the Council
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Portfolio Holder, Chief Finance Officer, Monitoring Officer, Head of Legal Services, Finance Business Partner, Group Manager, Director of Finance (Publica)

1. BACKGROUND

- 1.1** The Council has a local Council Tax Support (CTS) scheme in place to support low income, working age residents with their Council Tax.
- 1.2** The scheme is approved by Council annually and runs from 1 April to 31 March in each financial year. No amendments to the scheme are allowed under legislation during any given year.
- 1.3** The Council has no discretion in relation to the calculation of CTS in respect of the Pension Age Scheme. That scheme is defined by Central Government.

2. MAIN POINTS

- 2.1** The Council recognises that with the cost of living crisis, and increasing energy bills that some residents will be struggling financially to make ends meet.
- 2.2** As in-year amendments to the CTS scheme are not permitted under legislation and in order to support those residents who are struggling to pay any remaining Council Tax following the application and award of CTS an Exceptional Hardship Fund (EHF) will be implemented.
- 2.3** The EHF will be available to any applicant, whether pension or working age, where the daily award of CTS does not meet 100% of the Council Tax liability.
- 2.4** The intention is for the EHD to be a last resort for exceptional situations. It is not intended to replace any discounts, exemptions or CTS awards that are already available.
- 2.5** The EHF Policy is detailed in Annex A, attached, but in summary when considering an application for EHF the Council will consider:
 - The shortfall between CTS and Council Tax liability
 - Whether the applicant has engaged with the Exceptional Hardship Payment process
 - The personal circumstances, age and medical circumstances (including ill health and disabilities) of the applicant, their partner, any dependents and any other occupants of the applicant's home
 - The difficulty experienced by the applicant, which prohibits them from being able to meet their Council Tax liability, and the length of time this difficulty will exist
 - Shortfalls due to non-dependant deductions
 - The income and expenditure of the applicant and their partner
 - How reasonable expenditure exceeds income

- Any savings or capital that might be held by the applicant or their partner
- The exceptional nature of the application and/or their family's circumstances that impact on finances
- The amount available in the EHF at the time of the application.
- The amount outstanding is not as a result of wilful refusal or culpable neglect

3. FINANCIAL IMPLICATIONS

- 3.1** The Council will commit £50,000 for the EHF from the Council Tax surplus generated in 2022/23.
- 3.2** Oxford County Council, as a major precepting authority and beneficiary of any surplus Council Tax receipts have also pledged match funding in support of this fund.

4. LEGAL IMPLICATIONS

- 4.1** There are no legal implications associated with this report.

5. RISK ASSESSMENT

- 5.1** There is a risk of the scheme being oversubscribed due to the cost of living crisis. To mitigate this, the scheme will be closely monitored; ensuring support is only given to those who meet the eligibility criteria within the Policy.

6. EQUALITIES IMPACT

- 6.1** To ensure compliance with the Equality Act 2010 an Equality Impact Assessment has been carried out which concludes there is no negative impact on any of the protected characteristics.

7. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 7.1** None

8. ALTERNATIVE OPTIONS

- 8.1** The Policy as detailed in Annex A of this report is specifically to support those residents that are in receipt of CTS. Members may want to consider including those residents who are not in receipt of CTS but are still considered on a low income. For these purposes, a low income should not exceed the following:

- £29,120 for a family with one child
- £36,244 for a family with two children
- £43,992 for a family with three or more children