

Report to Council

Council Tax Reduction Scheme 2022/23

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2 March 2022

Reason for Decision

The purpose of this report is to present the proposed Council Tax Reduction Scheme for 2022/23 to Council for approval.

Executive Summary

Members will recall that there is a requirement to have a local Council Tax Reduction (CTR) scheme to support residents of working age on a low income who qualify for assistance in paying Council Tax. The Local Government Finance Act 2012 places a requirement that each year a billing authority must consider whether to revise its Council Tax Reduction scheme or to replace it with another scheme. Any change to the 2022/23 scheme must be agreed by full Council in line with budget setting and no later than 10 March 2022. For Oldham, this requires the Council to agree a revised 2022/23 scheme at the 2 March 2022 Council meeting. Any proposed change must be subject to prior consultation with the major preceptors (for Oldham this is the Greater Manchester Combined Authority), and with the public.

The Council, in deciding the CTR scheme for 2022/23, needs to consider both the affordability of the scheme for the Council given the financial challenge it currently faces and the impact of retaining the existing scheme (or of revising the scheme) on Oldham's residents of working age in receipt of low incomes. The scheme for those of pensionable age is set by the Government and cannot be changed.

The Council currently has a CTR scheme that awards a maximum reduction of 85% of a Band A rate of Council Tax and has removed the provision to award second adult rebate for

claimants of working age. From April 2019, the Council also introduced changes to support CTR claimants in receipt of Universal Credit (UC) including the application of some earnings disregards and the use of DWP information as a claim for CTR.

The furlough scheme (Coronavirus Job Retention Scheme) concluded on 30 September 2021 as did the fifth grant under the Self-Employed Income Support scheme and the Universal Credit £20 uplift. Self-employed recipients of Universal Credit were not subject to the minimum income floor during the pandemic, but this was re-instated (with some exceptions) from 31 July 2021. The effects of the phasing out of these schemes that have provided financial help for residents, along with the on-going impacts of the pandemic in shifting the demand for support under CTR scheme and the ability of residents to pay over the remainder of 2021/22 and into 2022/23 is difficult to estimate, and the full economic impact is uncertain.

Given levels of uncertainty about the impact of the pandemic on the demand for CTR in the coming months, it is proposed that the CTR scheme for 2022/23 remains unchanged from that operating in 2021/22, having regard to the aim of ensuring continuity about entitlement to those residents on the lowest incomes.

The proposed scheme for 2022/23 was considered by the Policy Overview and Scrutiny Committee at its meeting on 27 January 2022. The Committee agreed the proposed scheme (i.e., no change to that operating in 2021/22). It was therefore content to commend the proposed CTR scheme for 2022/23 to Cabinet without additional comment. The proposed CTR scheme for 2022/23 was considered at the Cabinet meeting of 14 February 2022. Cabinet was content to commend the proposed CTR scheme to Council without amendment.

Recommendation

It is recommended that Council approves the proposed Council Tax Reduction scheme for 2022/23 which keeps the scheme unchanged from that operating in 2021/22.

Council Tax Reduction Scheme 2022/23**1 Background**

- 1.1 Prior to April 2013, Council Tax payers who qualified for assistance could apply for Council Tax Benefit (CTB) to help pay their Council Tax. The CTB scheme was administered by Local Authorities on behalf of the Department for Work and Pensions (DWP) and was assessed on a means tested basis. Under this national scheme, Council Tax payers could receive benefit of up to 100% of their Council Tax liability. The Council then received full funding from the Government for all correct CTB awards made. Changes introduced by the Government abolished CTB from 1 April 2013 and made Local Authorities responsible for setting up their own local Council Tax Reduction schemes (CTR) for working age residents. The Government also reduced the amount of funding given to Councils to pay for the schemes in 2013/14 by 10%. The CTR scheme for pensioners is set by the Government and is not subject to the changes applied to those of working age. In devising new CTR schemes, many Local Authorities adopted schemes that replicated the old CTB schemes and then applied a minimum payment for working age customers to make up the funding difference.
- 1.2 Since 2014/15, the amount of grant received from Government to pay for CTR has been included within the general grant (Revenue Support Grant) that the Council receives and the amount to support CTR schemes is not specifically identified year on year. Prior to the pandemic, Revenue Support Grant (RSG) had continued to be significantly reduced each year and with the introduction of the piloting of 100% Business Rates Retention and the subsuming of RSG into the Council's Business Rates Top Up Grant, it is fair to say the link between Central Government funding and Central Government support for CTR has been cut and that the Council funds the cost of the CTR scheme through the Collection Fund (the ringfenced account in which all Council Tax and Business Rates income is managed).
- 1.3 The legislation confers an obligation on the Council to consider whether to revise the CTR scheme on an annual basis. The scheme cannot be amended in-year and can only be changed following consultation with the major preceptor, the Greater Manchester Combined Authority (GMCA) on behalf of the Mayor of Greater Manchester and the Police and Crime Commissioner and with the public.
- 1.4 A change to the scheme in 2022/23 would require approval by full Council prior to the deadline for the setting of the Council's budget (which is no later than 10 March 2022). The last Council meeting before this date is 2 March 2022.
- 1.5 When evaluating changes to the scheme for 2022/23, the current operation and costs of the scheme can be considered. In recommending options for 2022/23, consideration has been given to the COVID crisis and its impact on residents, the economy, the impact on Council resources and the CTR caseload.

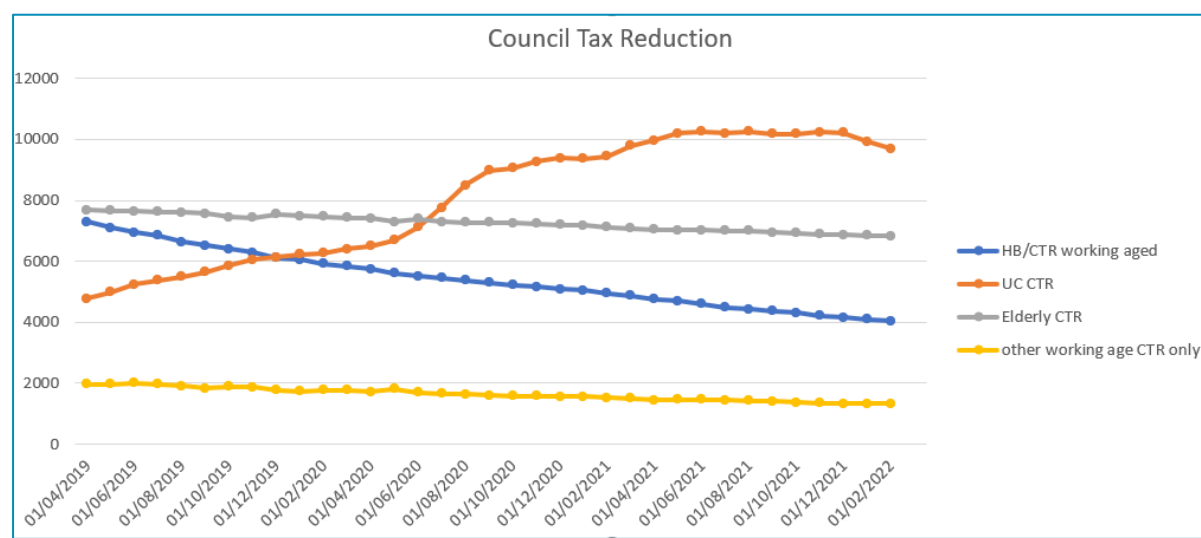
2 Current Position

- 2.1 The Council currently has a CTR scheme that awards a maximum reduction of 85% of a Band A rate of Council Tax and has removed the provision to award second adult rebate for claimants of working age. From April 2019, the Council also introduced changes to support CTR claimants in receipt of Universal Credit (UC) including the application of some earnings disregards and the use of DWP information as a claim for CTR.
- 2.2 Current projections for the annual collection rates for CTR cases due in 2021/22 suggest a collection rate of approximately 80%. This is a slightly higher CTR collection rate to that recovered in 2020/21 which was affected by the major social and economic impact of the

Coronavirus (the 2020/21 collection rate was 77.76%). An additional 5% collection of CTR debt at current CTR award levels could result in an extra £0.301m in Council Tax receipts.

- 2.3 The roll out of the full service of Universal Credit (UC) commenced in Oldham from April 2017. Oldham was an early adopter of UC full service and in August 2021 (the latest available figures), rollout was 68% complete in Oldham East and Saddleworth and 65% in Oldham West and Royton. The North West average is 62%. It will take some time before the full migration of working age claims is complete.
- 2.4 The Government has indicated that managed migration (the bulk transfer of all eligible working age Housing Benefit (HB) cases to UC by Local Authority) will be complete nationally by March 2025 although no indicative timetable has been set for Oldham to date. The slow migration of HB to UC has resulted in the emergence of UC/CTR as a new CTR working age scheme, with some discrete differences in calculation methods to determine needs and income from those used for legacy benefits such as Housing Benefit and CTR for those of pensionable age.
- 2.5 As at 1 February 2022, the overall CTR caseload was 21,886. Table 1 below demonstrates how CTR claims from those who are in receipt of UC remain high with other working age CTR cases are reducing, for example, from those who are in receipt of HB. The number of pensioner claims has also reduced slightly. The management of UC/CTR creates an administrative burden for Local Authorities as data files are received from the Department for Work and Pensions (DWP) each month confirming changes to entitlement however small. The Unity Partnership Ltd, who deliver operational Revenues and Benefits services on behalf of the Council, automated the assessment of some of these files pre pandemic. COVID response work was prioritised from March 2020 but the team have now resumed this automation programme. Once file automation has been maximised, consideration of an alternative scheme for UC/CTR cases would be appropriate beyond 2022/23.

Table 1: CTR Caseload Changes



- 2.6 The rapidly changing environment created by the pandemic has presented difficulties in accurately modelling financial impacts of both retaining the existing CTR scheme for 2022/23 or introducing a revised scheme.
- 2.7 During 2020/21, the Government provided funding in the form of a grant (the Hardship Fund) which enabled the Council to provide hardship relief to Council Tax Reduction recipients of working age. This specific funding was discontinued for 2021/22. The Council continues to

make awards to residents who are experiencing severe financial hardship under the Exceptional Hardship Payments (EHP) scheme although the budget for this is expected to be £0.075m in 2022/23.

- 2.8 The 2021/22 Local Government Finance Settlement advised of a new grant, the Local Council Tax Support Grant (Oldham's allocation was £3.183m for 2021/22) which recognised the financial impact on Councils of the increase in CTR claimants. This was an un-ringfenced grant and the Council used it to support the 2021/22 budget to compensate for the foregone Council Tax income caused by the lower Tax Base arising from the increased number of CTR claimant (see a more detailed explanation at 3.4).
- 2.9 On 3 February 2022, the Government announced a Council Tax Energy Rebate for 2022/23 of £150 for households in Council Tax Bands A–D. The Council will also be able to operate a discretionary fund for households in need who would not otherwise be eligible for the scheme. This could include those households on low incomes who live in properties valued in Council Tax Bands E-H. Reference to the scheme will be made on the face of the Council Tax bills for 2022/23 and payments made under the scheme will be disregarded as income when determining eligibility for Council Tax Reduction for both pensioners and those of working age. It is important to note that payments will be made outside of the Council Tax system. Council Tax lists will be used solely to identify eligible households. Detailed guidance and funding allocations have yet to be published.

3 Options/Alternatives

- 3.1 Given the current context of COVID, the financial position of the Authority and the uncertainty prevailing, there are 3 main options presented for consideration. These are:

Option 1: Maintaining the present level of support i.e., limiting the level of support to 85% of Council Tax for a Band A property as the maximum amount available.

Option 2: Limiting the maximum level of support from 2022/23 to 82.5% of Council Tax for a Band A property

Option 3: Limiting the maximum level of support from 2022/23 to 80% of Council Tax for a Band A property

The key issues in relation to each of these options are set out below.

Option 1 Maintain the current 85% of a Band A maximum scheme

- 3.2 The current scheme limits the maximum CTR award to 85% of Council Tax for a Band A property. The scheme is understood and established in Oldham. This scheme requires a minimum payment towards Council Tax for all those of working age. Oldham's scheme requires a minimum payment of 15% of a Band A Council Tax charge which is set out in the table below. The payments made by eligible households in properties from Bands B to H are therefore reduced by a maximum of £1,151.56 (the difference between the Band A charge and the minimum payment).
- 3.3 An overall CTR collection rate of 80% would deliver the income needed to meet the Council Tax requirements for 2022/23 if the current scheme remained in place. A comparison of the maximum levels of support for 2021/22 for Greater Manchester Local Authorities is set out in Table 2.

- 3.4 CTR is a demand led scheme so costs can fluctuate as the caseload changes. The working age caseload increased as more residents claimed UC during the onset of the COVID crisis reaching a peak in May 2021. The Council Tax Tax Base makes an allowance for the increased cost of the CTR scheme by reducing the assumed level of Council Tax that can be collected. The impact of the increase in claimants, taking the April 2020 working age CTR claimant numbers compared with claimant numbers in February 2022, has reduced the 2021/22 Tax Base by an estimated 307 Band D equivalents which equates to approximately £0.626m in foregone Council Tax Income (of which the Councils share is £0.531m). However, by February 2022, the Tax Base had seen some recovery so the full impact in cash terms over the period from April 2020 is much higher.
- 3.5 The financial impact is not only in relation to the reduction in the Tax Base compared to both 2020/21 and 2021/22 levels. The level of Tax Base growth for 2022/23 and future financial years is also less than would otherwise have been the case without COVID, thus impacting on the budget reduction requirement.

Table 2: Greater Manchester Local Authority Council Tax Reduction Charges 2021/22

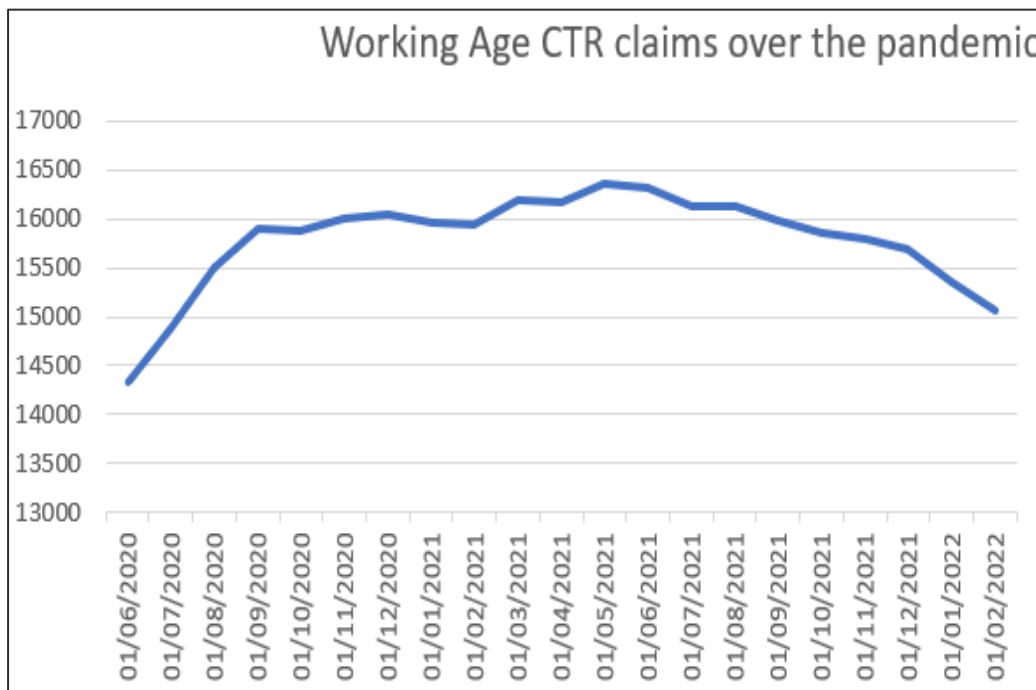
Local Authority	Council Tax Band A 2021/22	Maximum Support %	Annual Charge At Band A	Monthly (12 Months)	Monthly (10 Months)	Minimum Weekly Payment if in receipt of Full CTR
Bolton	£1,255.35	87.50%	£156.92	£13.08	£15.69	£3.01
Bury	£1,333.94	80%	£266.79	£22.23	£26.68	£5.12
Manchester	£1,203.89	82.50%	£210.68	£17.56	£21.07	£4.04
Oldham	£1,354.78	85%	£203.22	£16.93	£20.32	£3.90
Rochdale	£1,357.74	85%	£203.66	£16.97	£20.37	£3.91
Salford	£1,343.29	88%	£161.19	£13.43	£16.12	£3.09
Stockport	£1,372.76	100%	£0.00	£0.00	£0.00	£0.00
Tameside	£1,275.60	75%	£318.90	£26.58	£31.89	£6.12
Trafford	£1,146.71	100%	£0.00	£0.00	£0.00	£0.00
Wigan*	£1,076.71	80%	£215.34	£17.95	£21.53	£4.13

*except for households with Children under 5

- 3.6 As advised earlier, in 2021/22 the Government has provided support in relation to the impact of Council Tax foregone arising from COVID in the form of the Local Council Tax Support Grant funding of £3.183m. This has not been continued into 2022/23, so the reduction in Tax Base and foregone Council Tax is one of the budget pressures that must be addressed when considering balancing the revenue budget for 2022/23.
- 3.7 Other mechanisms the Government has introduced to support Councils, is allowing 2020/21 Collection Fund losses to be addressed over 3 financial years (2021/22 to 2023/24) and introducing a Tax Income Guarantee Grant which was paid in 2020/21 and used to support the 2021/22 budget. These were one-off initiatives and are not available for 2022/23.
- 3.8 A challenge in considering the financial impact on both CTR recipients and the Council is just how quickly the economy might pick up in 2022/23 which would potentially reduce the numbers of households qualifying for CTR. In considering the option not to change the level of CTR, Members are reminded that the Tax Base has begun to recover but is still significantly lower than the pre-COVID expectations and this has a consequent impact on overall level of Council Tax available to support the 2022/23 budget.

3.9 The furlough scheme (Coronavirus Job Retention Scheme) concluded on 30 September 2021 as did the fifth grant under the Self-Employed Income Support scheme and the Universal Credit £20 uplift. Self-employed recipients of Universal Credit had not been subject to the minimum income floor during the pandemic, but this was also re-instated (with some exceptions) from 31 July 2021. The impact of the phasing out of these schemes that have provided financial help for residents throughout the pandemic, in shifting the demand for support under the Local Council Tax Reduction scheme and residents' ability to pay over the remainder of 2021/22 and into 2022/23 is yet to be felt. It is difficult to estimate the full economic impact of the pandemic. For example, a reduction in the working age caseload could be indicative of the withdrawal of COVID related welfare benefits support in 2021/22 rather than increasing income levels for residents. Table 3 illustrates the change in the CTR working age caseload from March 2020 to February 2022.

Table 3: Working Age Caseload over the COVID crisis



Options 2 and 3 – Reducing the maximum support to 82.5% or to 80%

3.10 Increasing the Council Tax charge by reducing the support available for those in receipt of Council Tax Reduction has been a common approach taken by Local Authorities since 2013. Many of those with high minimum payments also have cut CTR in other ways e.g., removing earnings disregards. The Council may wish to reduce the level of maximum support offered to counteract any rising costs of the scheme because of increases in caseload.

3.11 For Oldham, based on the 2021/22 position, Council Tax income would potentially increase in 2022/23 by £0.290m for each 2.5% reduction in Council Tax support assuming a prudent collection rate of 80%. Oldham's share of this income would be £0.263m, once the Greater Manchester Combined Authority (GMCA) has received its share for the Mayoral Police and Crime Commissioner precept and Mayoral General Services precept including Fire Services.

3.12 It is important to note that an increase in minimum payments can impact collection levels and result in Council Tax becoming a more regressive tax for residents in receipt of low incomes than for those on higher incomes. An increase in Council Tax for those on low

incomes at a time when the COVID-19 crisis is having a detrimental impact on the local economy and the availability of jobs taken together with the withdrawal of the Government's package of crisis financial support for benefit claimants, would also impact on residents' ability to make payments.

- 3.13 The impact of lockdowns during the pandemic may have affected residents' overall ability to pay household bills. A Citizens Advice October 2020 report ¹ Lockdown Debts – Estimating the Size of Lockdown Arrears suggested that there could be up to £1.6 billion of lockdown arrears affecting 1 in 9 UK adults (11%); affecting a total of 6 million people (see Table 4 below).

Table 4: National Value of Lockdown Arrears

Household bill type	Number of households behind on household bills	Estimated total value of arrears for household bills
Rent (including social rent)	628,000	£909,000,000 ⁴
Council Tax	1,459,000	£284,000,000 ⁵
Energy	1,489,000	£209,000,000
Broadband + telephone	1,818,000	£109,000,000
Water	1,573,000	£76,000,000
Mobile Phone	1,382,000	£26,000,000
Credit card	1,466,000	£11,000,000
Total debt		£1,624,000,000

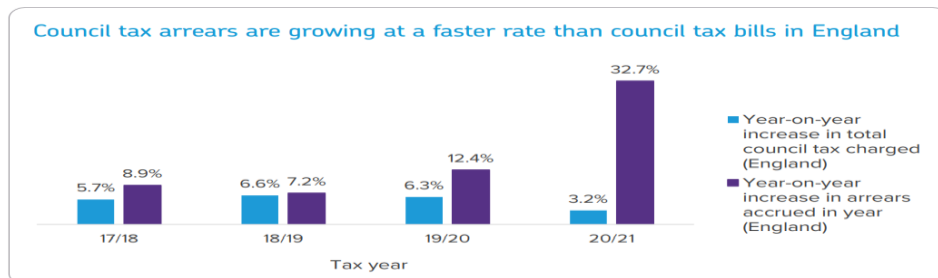
Source: Citizens Advice 2020

- 3.14 A minimum payment of 17.5% for Oldham would still place the Council at the lower end of minimum payments required from residents across the country.
- 3.15 Council Tax was increased by 2.99% by Oldham Council in 2021/22 and the Council proposes increasing Council Tax by 3.99% for 2022/23. There are wider current economic impacts of COVID and the legacy impacts of the Government's pre-existing Welfare Reform programme. An increase in the minimum payment from 15% to 17.5% or 20% may result in Council Tax becoming less affordable for residents and result in increased Council Tax arrears from this group.

¹ [Lockdown debts.pdf \(citizensadvice.org.uk\)](https://www.citizensadvice.org.uk/lockdown-debts.pdf)

- 3.16 In July 2021, the Money Advice Trust ² issued its ‘Council Tax after Covid’ report in which it is argued that Local Authorities applying minimum payments for their residents also attract high collection costs. Table 5 also shows how increases in Council Tax arrears are outstripping Council Tax rises, particularly during the pandemic.

Table 5: Council Tax Arrears and Council



Source: Money Advice Trust 2021

- 3.17 It is important to note that if the maximum support was reduced to 82.5% or 80% it would have the impact of raising the amount of Council Tax to be collected and hence potentially reducing some of the losses and issues outlined at paragraphs 3.4 to 3.5; however, it may lead to a further increase in arrears.

4. Preferred Option

- 4.1 The preferred option is Option 1 – to retain the current 85% scheme in 2022/23.
- 4.2 Assuming there is Member approval of the 2022/23 scheme at Budget Council and following the inclusion of prescribed scheme regulations for 2022/23 which were published on 13 January 2022, the Council's revised CTR scheme will be published on the Council's website.
- 4.3 Members will be aware that discretionary funding is available to support those residents in most need. The 2022/23 revenue budget for this Exceptional Hardship Allocation is expected to be £0.075m for 2022/23 and can be awarded under Section 13a(1)(c) of the Local Government Finance Act 1992 (as amended). A further discretionary fund will be available to support those not eligible for the Council Tax Energy Rebate as detailed in paragraph 2.9.

5 Consultation

- 5.1 Any changes to the 2022/23 scheme require prior consultation with the major preceptor, the GMCA, with regard to the Mayoral Police and Crime Commissioner precept and Mayoral General Services precept including Fire Services. There would also be a requirement to carry out a public consultation.
- 5.2 The Council has notified GMCA of its intention not to amend the CTR scheme in 2022/23. Given this intention, there is no requirement for public consultation.
- 5.3 An important part of the consultation process is the scrutiny of the proposed CTR scheme by the Policy Overview and Scrutiny Committee. At its meeting on 27 January 2022, the Committee scrutinised the proposed CTR scheme for 2022/23. The Committee agreed the proposal that there should be no changes to the 2021/22 CTR scheme for 2022/23. It was

² [Council tax after covid report.pdf \(moneyadvicetrust.org\)](https://www.moneyadvicetrust.org/council-tax-after-covid-report.pdf)

therefore content to commend the proposed CTR scheme for 2022/23 to Cabinet without additional comment. The proposed CTR scheme for 2022/23 was considered by Cabinet at its meeting on 14 February 2022. Cabinet was content to commend the proposed CTR scheme to Council without amendment.

6 Financial Implications

- 6.1 The direct grant previously paid by the Ministry of Housing, Communities and Local Government (now the Department for Levelling Up, Housing and Communities) for Council Tax Reduction Support has now been subsumed within the Council's Settlement Funding Assessment and Revenue Support Grant (RSG) figure which has itself been incorporated within Business Rate Top Up grant under the piloting of 100% Business Rate Retention. The link between CTR arrangements and grant compensation is no longer evident, given the reduction in the level of grant funding from 2010 until 2019/20 (pre-pandemic).
- 6.2 As at the time of preparing this report, 84.92% of CTR claimants have made some payment towards their 2021/22 Council Tax bills, suggesting a collection rate at the end of the financial year of approximately 80%. As outlined above, data is not available to assess how many of these claimants making payments will fall into arrears during the rest of the year, however it is envisaged that proactive collection methods implemented by the Unity Partnership Ltd., will enable the Council to collect an amount of approximately 80% of the amount due in 2021/22. Weekly monitoring of the collection rate is being maintained to manage the risk of non-collection. One perceived risk at this stage is that the present collection rate will reduce throughout the remainder of the financial year and beyond as a result of the impact of COVID-19 on the local economy. The amount of disposable income many of the scheme's claimants will have available to meet Council Tax and other financial commitments is likely to reduce. This would have the impact of increasing the risk of arrears from those who are currently paying their Council Tax.
- 6.3 In addition to the impact of collection rates of CTR outlined above and as a direct result of current economic conditions resulting from the COVID pandemic, there was a significant increase in the overall numbers of working age claimants of CTR. This resulted in a sharp decline of the overall Council Tax Base, as more taxpayers became entitled to CTR. As stated in para 3.4, the Tax Base at February 2022 was 307 Band D equivalents lower than the position at start of the pandemic which coincided with the start of the 2020/21 financial year. Using the total Oldham Band D Council Tax charge for 2021/22 of £2,037.21 and multiplying this by the reduction, this equates to Council Tax income foregone of approximately £0.626m (the Oldham Council element is reflected in losses of £0.531m). It is important to note that the February 2022 position reflects an improvement as the Tax Base has continued to rise month on month during 2021/22, hence overall losses have been much higher. This is clearly very important in the context of the financial position of the Council. It influenced the setting of a reduced Tax Base for 2021/22. However, given the evident reduction in CTR claimants, Cabinet on 24 January 2022, approved a report that increased the Council Tax Tax Base for 2022/23 to 57,450 an increase of 250 over the 2021/22 Tax Base (although this is still below pre-pandemic levels).
- 6.4 During 2020/21, the Government provided funding in the form of a grant (the Hardship Fund) which enabled the Council to provide hardship relief to Council Tax Reduction recipients of working age. This specific funding was discontinued for 2021/22.
- 6.5 The Government provided support in 2021/22 in relation to the impact of Council Tax foregone arising from COVID in the form of the Local Council Tax Support Grant funding of £3.183m. This has not been continued into 2022/23, so the reduction in the Tax Base and foregone Council Tax is one of the budget pressures that must be addressed when considering balancing the revenue budget for 2022/23.

- 6.6 The Government also provided support for the 2021/22 budget in the form of a grant, the Local Tax Income Guarantee and it also provided support by allowing 2020/21 Collection Fund losses to be addressed over 3 financial years (2021/22 to 2023/24). Both these initiatives were one-off support.
- 6.7 On 3 February 2022, the Government announced a Council Tax Energy Rebate for 2022/23 of £150 for households in Council Tax Bands A–D. The Council will also be able to operate a discretionary fund for households in need who would not otherwise be eligible for the scheme. This could include those households on low incomes who live in properties valued in Council Tax Bands E-H. Reference to the scheme will be made on the face of the Council Tax bills for 2022/23 and payments made under the scheme will be disregarded as income when determining eligibility for Council Tax Reduction for both pensioners and those of working age. It is important to note that payments will be made outside of the Council Tax system. Council Tax lists will be used solely to identify eligible households. Detailed guidance and funding allocations have yet to be published.
- 6.8 At this stage, it is also unclear just how quickly the economy might pick up as the country emerges from the pandemic which would potentially reduce the numbers of households qualifying for CTR.
- 6.9 The table below summarises the current scheme and potential options for consideration. Only two options have been modelled for the purposes of this report. Each option assumes collection rate of 80% (deemed feasible given current projected collection levels).

Scheme Options	% Band A Property	CTR Billed	Collection Rate	CTR Income
	%	£m	%	£m
	87.5	5.658	80	4.526
	85.0	6.021	80	4.816
	82.5	6.384	80	5.107
	80.0	6.747	80	5.398

- 6.10 For each 2.5% movement of CTR benefit, based on 2021/22 Council Tax levels, Council Tax income shifts by approximately £0.363m. However, this is the Council Tax income figure prior to apportionment over the appropriate precepting percentages and projected collection rates of 80%. In 2021/22, the present allocation percentages are Oldham Council 84.82%, GMCA for Mayoral Police and Crime Commissioner Services 10.71% and finally GMCA for Mayoral General Services including Fire Services at 4.47%. Therefore a £0.363m movement would benefit Oldham Council's available funding by approximately £0.290m after projected collection losses. It is then further reduced following the apportionment to the Council to £0.246m.
- 6.11 The average impact to claimants assuming February 2022 caseload numbers of 21,886 claimants of which there are 15,057 working age cases, and providing these remain constant, for each 2.5% CTR movement, a claimant is likely to see a +/-£23.63 adjustment to their CTR benefit depending on whether the CTR scheme is made more or less beneficial.
- 6.12 Given all the information presented above, the maintenance of an unchanged CTR scheme can be managed within the context of the current financial position of the Council.
(Anne Ryans/John Hoskins)

7. **Legal Services Comments**

- 7.1 The legislation states that each year an authority must consider whether to revise its Council Tax Reduction scheme.
- 7.2 The revision of a scheme is a decision that the legislation reserves to full Council. Any revision to apply to the scheme for the following year must be made no later than 10 March of the preceding financial year.
- 7.3 No revision of a scheme can occur unless the authority has, in the following order:
1. Consulted with the major precepting authority – The Greater Manchester Combined Authority for Police and Fire services
 2. Published a draft proposed scheme
 3. Consulted with others likely to have an interest in the scheme
- 7.4 In order to discharge its duties under the Equality Act 2010, the authority will need to consider the effects of proposals on people with a protected characteristic as defined by the Act, which can be done by way of an equality impact assessment as happened before the present scheme was made.
- 7.5 In this circumstance, vulnerable residents and residents generally will benefit from the option proposed. It would therefore be unlikely that any legal challenge would ensue from this action. (Alex Bougatef)

8. **Co-operative Agenda**

- 8.1 The approval of support for residents who are of working age and on low incomes is consistent with and embraces the principles of the co-operative agenda.

9 **Human Resources Comments**

- 9.1 None

10 **Risk Assessments**

- 10.1 There are several risks to be managed in this process:
- Ensuring the revised scheme is not subject to a legal challenge on the basis of equality legislation
 - Developing a scheme which is both fair and affordable to the Council in 2022/23 particularly as it will only be based on limited collection rates information early in the financial year
 - A more challenging financial environment with greater uncertainty than in previous financial years through which an early decision needs to be made on the make-up of the scheme for the next financial year.
 - Linking in Council Tax Collection processes to the Council's Council Tax Collection Strategy. (Mark Stenson)

11 **IT Implications**

- 11.1 None

12 **Property Implications**

- 12.1 None

13 **Procurement Implications**

13.1 None

14 **Environmental and Health & Safety Implications**

14.1 None

15 **Equality, community cohesion and crime implications**

15.1 In taking financial decisions, the Council must demonstrate that it has given 'due regard' to the need to eliminate discrimination, promote equality of opportunity and promote good relations between different groups.

15.2 Demonstrating that 'due regard' has been given involves:

- Assessing the potential equality impacts of proposed decisions at an appropriate stage in the decision-making process so that it informs the development of policy and is considered before a decision is taken
- Ensuring that decision makers are aware of equality duties and any potential equality issues when making decisions.

N.B. Having due regard does not mean the Council cannot make decisions which have the potential to impact disproportionately. It means that we must be clear where this is the case and must be able to demonstrate that we have consulted, understood and mitigated the impact.

15.3 To ensure that the process of impact assessment is robust, it needs to:

- Be specific to each individual proposal
- Be clear about the purpose of the proposal
- Consider available evidence
- Include consultation and involvement with those affected by the decision, where appropriate
- Consider proposals for mitigating any negative impact on particular groups
- Set out arrangements for monitoring the actual impact of the proposal

15.4 As with previous Council Tax Reduction Schemes from 2013, an Equality Impact Assessment has been prepared to try to identify any potential disproportionate adverse impacts arising from the proposed scheme and to identify any actions which might mitigate these impacts (see Appendix 1).

16 **Equality Impact Assessment Completed?**

16.1 An Equality Impact Assessment is set out at Appendix 1.

17 **Key Decision**

17.1 Yes

18 **Key Decision Reference**

18.1 FLC-16-21

19 **Background Papers**

19.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: The background papers to this report are both available on
www.oldham.gov.uk
4 March 2021 Council Report Council Tax Reduction Scheme 2021/22
23 April 2020 Cabinet Report Hardship Funding 2020/21

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20 **Appendices**

20.1 Appendix 1 – Equality Impact Assessment