

Report to Council

Council Tax Reduction Scheme 2023/24

Portfolio Holder: Cllr Abdul Jabbar MBE, Deputy Leader and Cabinet Member for Finance and Low Carbon

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Reason for Decision

The purpose of this report is to present to Council the proposed Council Tax Reduction Scheme for 2023/24.

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 2023/24 scheme must be agreed by full Council in line with budget setting and no later than 10 March 2023. For Oldham, this requires the Council to agree a revised 2023/24 scheme at the 1 March 2023 Council meeting. Any proposed change must be subject to prior consultation with the major preceptors (for Oldham this is the Greater Manchester Combined Authority on behalf of the Mayor of Greater Manchester and the Greater Manchester Police and Crime Commissioner), and with the public. The scheme for those of pensionable age is set by the Government and cannot be changed.

A major consultation exercise has not been undertaken regarding changes to the CTR scheme and the Greater Manchester Combined Authority has been provisionally advised that no change to the scheme is proposed. In this regard, the proposal that the CTR scheme for 2023/24 remains the same as that operating in 2022/23 was presented to the Policy Overview and Scrutiny Committee on 26 January 2023 as part of the suite of documents that presented the proposed revenue, capital and Housing Revenue Account budgets for 2023/24. After scrutinising the proposal, the Select

Committee was content to accept the proposed approach to the 2023/24 CTR scheme and commend this to Cabinet. This was considered at the Cabinet meeting of 13 February 2023. Cabinet was content to commend the proposed CTR scheme to Council without amendment.

In taking this decision, the Cabinet was aware that the Council has provided further relief to CTR claimants via the Household Support Fund, its response to the Cost of Living Crisis, together with other initiatives funded from Council resources. In addition, announced within the Provisional Local Government Finance Settlement on 19 December 2022 was a new Council Tax Support Fund of £100m nationally for 2023/24. The Government expects Local Authorities to use the majority of their funding allocations to reduce bills for current working age and pension age Local Council Tax Support (LCTS) claimants by up to £25. Councils can use their remaining allocation as they see fit to support vulnerable households with Council Tax bills and a local scheme will be prepared to ensure the maximum benefit to Oldham residents. On 23 December 2022 it was announced that Oldham's allocation for this ringfenced grant is £0.573m.

Another important factor when considering a change to the CTR scheme is that the full roll out of Universal Credit (UC) is not yet complete and this adds further uncertainty when assessing the likely impact of changes to CTR relief. The Government has recently delayed the full UC roll out to 2028, but as Oldham was a pilot Authority for the scheme, the movement to the new regime within the borough is more advanced than many other areas.

Options considered in this report are leaving the scheme unchanged, increasing the maximum relief by 2.5% and reducing maximum relief by 2.5%. A 2.5% change in the relief impacts the overall Council Tax collected by some £0.356m but has a marginal impact upon CTR claimants (increasing/reducing the benefit per resident by £0.68 per week).

In view of the continued uncertainty concerning Universal Credit and the marginal impact of any practical change to the CTR scheme, it is recommended that Council maintains the current CTR scheme during 2023/24. This will provide continuity about entitlement to those residents on the lowest incomes and allow time for the impact of the roll out of UC to become clearer.

Recommendation

It is recommended that Council approves the proposal to keep the Council Tax Reduction Scheme unchanged in 2023/24.

Council Tax Reduction Scheme 2023/24**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. 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, the link between Central Government funding and Central Government support for CTR has been cut and therefore the Council funds the cost of the CTR scheme through the Collection Fund i.e., the income collected from Council Tax and Business Rates.
- 1.3 The legislation confers an obligation on the Council to consider whether to review the CTR scheme on an annual basis. The scheme cannot be amended in-year and can only be changed following consultation with the public and the major preceptor, the Greater Manchester Combined Authority (GMCA) on behalf of the Mayor of Greater Manchester and the Greater Manchester Police and Crime Commissioner.
- 1.4 A change to the scheme in 2023/24 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 2023). The last Council meeting before this date is 1 March 2023 (this meeting).
- 1.5 When evaluating changes to the scheme for 2023/24, the current operation and costs of the scheme can be taken into account. In recommending options for 2023/24, particular consideration has been given to the legacy of the COVID-19 pandemic, the cost of living crisis and its impact on residents, the economy, the impact on Council resources and caseload, together with the other support that is available to those in receipt of CTR including the recently announced Council Tax Support Fund.
- 1.6 The proposal that the CTR scheme for 2023/24 remains the same as that operating in 2022/23 was presented to the Policy Overview and Scrutiny Committee on 26 January 2023. After scrutinising the proposal, the Select Committee was content to accept the proposed approach to the 2023/24 CTR scheme and commend this to Cabinet. This was considered at the Cabinet meeting of 13 February 2023 where Cabinet was content to commend the proposed CTR scheme to Council without amendment.
- 1.7 The recommended approach is that the Council maintains the current CTR scheme during 2023/24.

2 Current Position

- 2.1 The Council currently has a CTR scheme that awards a maximum payment 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 The Council has maintained the same maximum level of support for working age claimants at 85% since 2015/16. The table below illustrates that the minimum weekly payment has risen from £3.64 in 2019/20 to £4.07 in 2022/23, as a result of increases in Council Tax charges.
- 2.3 The table below shows a comparison of CTR charges over recent years

Table 1: Minimum Council Tax Reduction Charges 2019/20 to 2022/23

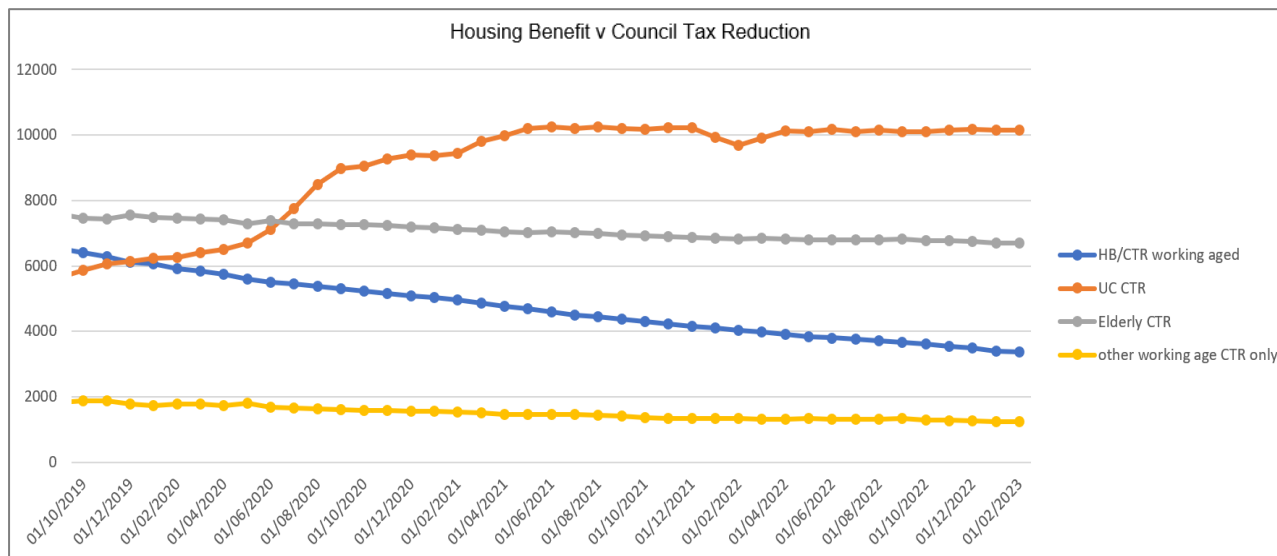
Financial Year	Council Tax Band A	Maximum Support %	Annual Charge At Band A	Monthly (12 Months)	Monthly (10 Months)	Minimum Weekly Payment if in receipt of Full CTR
2019/20	£1,266.39	85%	£189.96	£15.83	£19.00	£3.64
2020/21	£1,314.77	85%	£197.22	£16.43	£19.72	£3.78
2021/22	£1,354.78	85%	£203.22	£16.93	£20.32	£3.90
2022/23	£1,415.28	85%	£212.29	£17.69	£21.23	£4.07

- 2.4 At the time of preparing this report there were 14,765 working age CTR claimants each receiving an average benefit of £840.20 per annum.
- 2.5 Current projections for the annual collection rates for CTR cases due in 2022/23 suggest a collection rate of approximately 78% - 80%. This is a lower CTR collection rate to that recovered in 2021/22 (80.24%) but higher than 2020/21 (77.76%) which was impacted by the major social and economic effect of the COVID-19 pandemic. A reduced collection rate of CTR debt could result in a reduction in Council Tax receipts for 2022/23 and hence reduce the resources available to support the financial position of the Council in future years (it should be noted that changes in relation to Council Tax income impact one year in arrears given the accounting arrangements that must be applied).
- 2.6 The roll out of the full service of Universal Credit commenced in Oldham from April 2017. Universal Credit is a single monthly payment which replaces six working age benefits (known as legacy benefits). These are Housing Benefit (HB), Income Support (IS), Working Tax Credits (WTC), Child Tax Credit (CTC), Employment and Support Allowance ((ESA) Income-related) and Job Seekers Allowance (Income-related). The current roll out of UC follows a process of natural migration i.e., as a claimant experiences a relevant change of circumstances such as becoming fit for work, entitlement to legacy benefits ends and UC must be claimed instead. Oldham was an early adopter of UC full service and in August 2022 (the latest available figures), rollout was 73% complete in Oldham East and Saddleworth and 69% in Oldham West and Royton.
- 2.7 The Government has stated that managed migration (the bulk transfer of all eligible working age HB cases to UC by Local Authority) will not be completed nationally until 2028. However, they expect that all legacy cases in receipt of tax credits (including ESA), Income Support, Jobseekers Allowance, and all cases in receipt of Housing Benefit will transition by the end

of 2024/25. Some claimants in receipt of ESA without tax credits will remain until 2028. 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 claims such as Housing Benefit.

2.8 As at February 2023, the overall CTR caseload was 21,458. The caseload for those of pensionable age remains relatively static but Table 2 below demonstrates how CTR claims from those who are in receipt of UC are increasing as other working age CTR cases are reducing, for example, from those who are in receipt of HB. The management of UC/CTR creates an administrative burden for Local Authorities as data files are received each month confirming changes to entitlement however small.

Table 2: CTR Caseload Changes



2.9 The rapidly changing environment created by the COVID-19 pandemic and the cost of living crisis has presented difficulties in accurately modelling financial impacts of both retaining the existing CTR scheme for 2023/24 or introducing a revised scheme.

2.10 The Council continues to make awards to residents who are experiencing severe financial hardship under the Exceptional Hardship Payments (EHP) scheme and this resource is available to support those who have difficulty in paying Council Tax.

3 Options/Alternatives

3.1 Given the current economic climate, 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 at 85% of Council Tax for a Band A property as the maximum amount available.

Option 2: Increasing the maximum level of support from 2023/24 to 87.5% of Council Tax for a Band A property.

Option 3: Limiting the maximum level of support from 2023/24 to 82.5% 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 £1,202.99 (the difference between the Band A charge and the minimum payment).

3.3 A comparison of the maximum levels of support for 2022/23 for Local Authorities is set out below although there are differences in eligibility criteria between Councils which is not evident from the headline numbers.

Table 3: Greater Manchester Local Authority Council Tax Reduction Charges 2022/23

Local Authority	Council Tax Band A 2022/23	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	£1,415.28	85%	£212.29	£17.69	£21.23	£4.07
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

3.4 CTR is a demand led scheme so costs can fluctuate as the caseload changes. The Council saw an increase in the working age caseload during the COVID-19 crisis as more residents claimed Universal Credit and this saw a reduction in the Council Tax Tax base with a reduction in income that could be collected. The caseload is expected to increase further as

a result of the cost of living crisis meaning that the Council Tax that can be collected will reduce.

- 3.5 The financial impact is not only in relation to the Tax base compared to 2022/23 levels. Also foregone is the Tax base growth that had been anticipated within the budget setting estimates. This impact was illustrated by the setting of the Tax base for 2021/22 and 2022/23 which, due to the increase in CTR claimants as a result of the pandemic, was well below previously anticipated levels. The Tax Base for 2022/23 remains 213 below that of 2020/21, even though in 2020/21 it was assumed that by 2022/23, the Tax base would be 966 Band D equivalents higher than 2020/21. This has a compound effect for future years, thus impacting on the budget reduction requirement.
- 3.6 Given the proposal that the 2023/24 CTR scheme is not changed from that operating in 2022/23, a major consultation exercise has not been undertaken and the Greater Manchester Combined Authority has been provisionally advised that no change to the scheme is proposed. To support this approach, further assistance for CTR claimants is currently being provided via the Household Support Fund: Phase 3 of the scheme runs from September through to March 2023 and a new round of Household Support Fund for the full year 2023/24 has been announced although the Government grant details have yet to be provided. In addition, the Provisional Local Government Finance Settlement of 19 December 2022 announced a new Council Tax Support Fund of £100m which is to be used to support the most vulnerable households in England. The Government expects Local Authorities to use the majority of their funding allocations to reduce bills for current working age and pensionable age CTR claimants by up to £25. Councils can use their remaining allocation as they see fit to support vulnerable households with Council Tax bills and a local scheme will be prepared to ensure the maximum benefit of the new grant funding for Oldham residents. On 23 December 2022 the Council was notified that its allocation of this ringfenced grant is £0.573m for 2023/24.

Option 2 – Increase the maximum support to 87.5% of a Band A Rate of Council Tax

- 3.7 At current levels of CTR claimants, increasing the maximum discount by 2.5% to 87.5% would reduce the Council Tax collected by approximately £0.356m (of which the Council’s share would be £0.240m). This would be on top of the reductions referenced in 2.5 above in respect of the reduced CTR collection rate and in 3.5 above in respect of the lowered Council’s Tax Base. Moreover, as identified above, the CTR scheme is demand led and the financial impact would be much higher if the number of claimants should increase significantly.
- 3.8 Increasing the maximum support would reduce the minimum weekly payment for a Band A property from £4.07 to £3.39 as illustrated in the table below.

Table 4: Difference if maximum support for 2022/23 had been increased to 87.5%

Council Tax Band A	Maximum Support %	Annual Charge At Band A	Monthly (12 Months)	Monthly (10 Months)	Minimum Weekly Payment if in receipt of Full CTR
£1,415.28	85%	£212.29	£17.69	£21.23	£4.07
£1,415.28	87.5%	£176.91	£14.74	£17.69	£3.39
	Difference +/-	-£35.38	-£2.95	-£3.54	-£0.68

- 3.9 In considering the option to increase the level of CTR, Members are reminded that the Council has seen a significant increase in working age claims between April 2020 and August

2022. The increases in the cost of living, and subsequently the potential impact on residents and the economy means there is much uncertainty about the demand for Council Tax Reduction over the coming months.

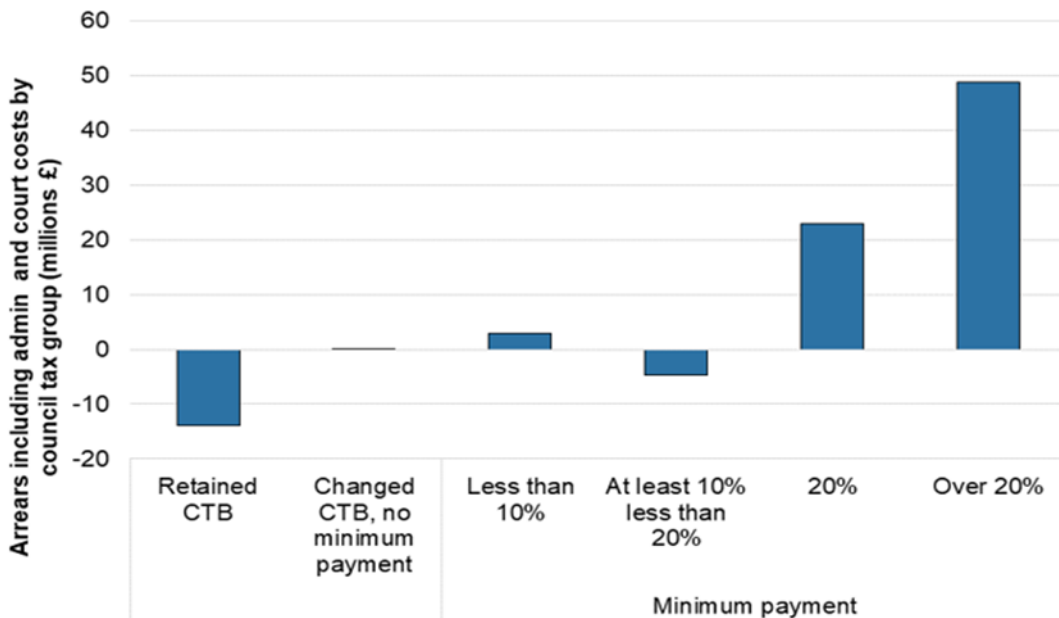
- 3.10 There is also a significant level of risk associated in assuming the level of collection rates will remain steady. The current projections for the annual collection rates for CTR cases due in 2022/23 suggest a collection rate of approximately 78% - 80%. This is a lower CTR collection rate to that recovered in 2021/22 (80.24%) but higher than 2020/21 (77.76%) which was impacted by the major social and economic impact of the COVID-19 pandemic. As referred to in paragraph 2.5 above, a reduced collection rate of CTR debt could result in a further reduction in Council Tax receipts for 2022/23.
- 3.11 Members are also reminded that the Household Support Fund is being continued into 2023/24 and the new Council Tax Support Fund will also be available (as outlined at 3.6).

Option 3 – Reducing the maximum support to 82.5% of a Band A Rate of Council Tax

- 3.12 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 as a result of increases in caseload.
- 3.13 For Oldham, based on the 2022/23 position, Council Tax income would potentially increase in 2023/24 by £0.356m for a 2.5% reduction in Council Tax support. Assuming a collection rate of 80%, Oldham's share of this income would be £0.240m, 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.
- 3.14 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 cost of living is increasing will have a detrimental impact on the local economy and the availability of jobs.

3.15 A New Policy Institute study in 2017 considered the change in the Council Tax bases between years to calculate the additional amounts of uncollected taxes in 2016/17 compared with 2012/13 – the last year of CTB. The study identified that the 67 Councils that had a minimum payment of over 20% in 2016/17 had the largest overall increase in uncollected tax for that year (see Table 5 below).

Table 5: Minimum Payments and Arrears



Source: www.counciltaxreduction.org (New Policy Institute)

3.16 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.

3.17 Council Tax was increased by 3.99% by Oldham Council in 2022/23 and an increase of 3.99% is proposed for 2023/24. There are wider current economic impacts of the cost of living increases and the legacy of COVID-19 restrictions. An increase in the minimum payment from 15% to 17.5% may result in Council Tax becoming less affordable for residents and result in increased Council Tax arrears from this group.

3.18 It is important to note that if the maximum support was reduced to 82.5% 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 2023/24.
- 4.2 Once Members have approved the 2023/24 scheme at Budget Council on 1 March 2023 and following the inclusion of the Prescribed Scheme regulations for 2023/24, the Council's CTR scheme will be published on the Council's website.
- 4.3 It is important to note that the Council's CTR scheme relies on the incorporation of Prescribed Scheme regulations which are published by Central Government each year. These regulations for 2023/24 were published on 13 January 2023.
- 4.4 Members will be aware that the Exceptional Hardship Payment scheme is available to assist those residents in most need and support with Council Tax payments can be awarded under Section 13a(1)(c) of the Local Government Finance Act 1992 (as amended).
- 4.5 The Government has confirmed the extension of Household Support Fund Grant up to 31 March 2024, however further clarity is required as to the detailed allocation and any revisions to grant conditions. As advised at 3.6, the new Council Tax Support Fund in the sum of £0.573m will be available to provide financial support for those in receipt of CTR in 2023/24 having regard to Government guidance.

5 Consultation

- 5.1 Any changes to the 2023/24 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 Given the consideration that has been applied to the CTR scheme as outlined below, the Council has provisionally notified GMCA of its intention not to amend the CTR scheme in 2023/24. As a consequence, 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 26 January 2023, the Committee scrutinised the proposed CTR scheme for 2023/24. The Committee agreed the proposal that there should be no changes to the 2022/23 CTR scheme for 2023/24. It was therefore content to commend the proposed CTR scheme for 2023/24 to Cabinet without additional comment. The proposed CTR scheme for 2023/24 was considered by Cabinet at its meeting on 13 February 2023. 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, 87.6% of CTR claimants have had some contribution towards their 2022/23 Council Tax bills, suggesting a collection rate at the end of the financial year of approximately 78%-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 the Council will continue to collect an amount of approximately 78%-80%

of the amount due in 2022/23. 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 lingering impact of COVID-19 on the local economy and the ongoing cost of living crisis. 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 The table below summarises the current scheme and potential options for consideration. Only two alternative options have been modelled for the purposes of this report. Each option assumes collection rate of 80% (deemed feasible given current projected collection levels).

Table 6: Scheme Options

Scheme Options	% Band A Property	CTR Billed	Collection Rate	CTR Income
	%	£m	%	£m
	87.5	5.967	80	4.774
	85.0	6.323	80	5.058
	82.5	6.679	80	5.343
	80.0	7.035	80	5.628

- 6.4 For each 2.5% movement of CTR benefit, based on 2022/23 Council Tax levels, Council Tax income shifts by approximately £0.356m. However, this is the Council Tax income figure prior to apportionment over the appropriate precepting percentages and projected collection rates of 80%. In 2022/23, the present allocation percentages are Oldham Council 84.44%, GMCA for Mayoral Police and Crime Commissioner Services 10.73% and finally GMCA for Mayoral General Services including Fire Services at 4.83%. Therefore a £0.356m movement would produce funding of approximately £0.285m after projected collection losses. It is then adjusted further by the allocation percentage of 84.44% resulting in an apportionment to the Council of £0.240m.
- 6.5 The average impact to claimants assuming February 2023 caseload numbers of 21,458 claimants of which there are 14,765 working age cases, and providing these remain constant, for each 2.5% CTR move, a claimant is likely to see a +/-£24.07 adjustment (on average) to their CTR benefit depending on whether the CTR scheme is made more or less beneficial.
- 6.6 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

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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 2023/24 particularly as it will only be based on collection rates information from part of 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 2013/14, an Equality Impact Assessment (EIA) 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. Given the CTR scheme is operative for one year before it must be re-evaluated, any mitigation measures can only have a short-term impact and the EIA reflects this.

16 Implications for Children and Young People

16.1 There are no direct implications for Children and Young People.

17 Equality Impact Assessment Completed?

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

18 Key Decision

18.1 Yes

19 Key Decision Reference

19.1 FLC-20-22

20 Background Papers

20.1 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
2 March 2022 Council Report Council Tax Reduction Scheme 2022/23

Council Tax Reduction Prescribed Scheme Regulations 2023/24
https://www.legislation.gov.uk/uksi/2023/16/pdfs/uksiem_20230016_en.pdf

Officer Name: Adam Parsey and Anne Ryans
Contact no: 0161 770 1656/4902

21 Appendices

21.1 Appendix 1 – Equality Impact Assessment