

Discretionary Council Tax Energy Rebate Scheme

Blaby District Council July 2022

1. Background to the Energy Bills Rebate

- 1.1 On 3 February 2022, the Government announced a package of support known as the Energy Bills Rebate to assist households with rising energy bills, and including 2 main elements (a mandatory and discretionary scheme) to be administered by Blaby District Council.
- A £150 non-repayable rebate for households in England in Council Tax bands A – D, known as the Energy Bills (Council Tax) Rebate This is known as the mandatory scheme and
 - £144 million of discretionary funding for billing authorities nationally to support households who are in need known as the Discretionary Scheme

2. The Discretionary Scheme

- 2.1 On 23 February 2022, the Government published guidance for local authorities for the Council Tax Rebate which was further updated on 16 March 2022 which can be found here [Government Guidance for the Energy Discretionary Rebate Scheme](https://www.gov.uk/government/publications/the-council-tax-rebate-2022-23-)
(<https://www.gov.uk/government/publications/the-council-tax-rebate-2022-23->

billing-authority-guidance)

- 2.2 The Energy Rebate for the district of Blaby is being managed by Blaby District Council, which is responsible for delivering payments to eligible households. The Council must follow the guidance set by the Government. The Council has authority to make these payments under Section 1 of the Localism Act 2011.
- 2.3 The Council has decided to set out the details of the Discretionary Fund scheme providing guidance for residents that may qualify for a payment
- 2.4 Local authorities are asked to make payments as quickly as possible to support struggling households. Once the mandatory scheme is in a position of near completion for payments the Council will progress to making these payments as soon as possible but recognising at the same time the need to undertake all appropriate due diligence before a payments can be made.

Due to the constraints of very tight timescales to be able to meet the expectations of the Government and local residents, Blaby has not been able to consult on the development of this policy but has liaised with neighbouring local authorities in Leicestershire to inform the policy. The Council has taken account of the requirements of Government (as set out in the guidance) and the issues and questions that have arisen both locally and nationally through discussions with external organisations (the Institute of Revenues, Rating and Valuation (IRRV) and Chartered Institute of Public Finance and Accountancy (CIPFA)).

3. Total Funding Available

- 3.1 The Government has allocated £119,850 to Blaby District for the Discretionary Funding.
- 3.2 Note that as per paragraph 37 of the Guidance, Local Authorities are able to use this funding to support residents that do not qualify for the mandatory scheme. Further note that as per question 15 of The Council Tax Rebate Frequently Asked Questions, Local Authorities are able to use this funding to provide additional financial support to residents that qualified for the main scheme.

4. Application Process and Timescales

- 4.1 Due to the scale of the Council Tax Rebate and the limited resources available to the Local Authority, in this instance there will be no direct application process for the Discretionary Fund.

- 4.2 Payments will be made to the following groups of residents that, in the opinion of the Authority are more likely to be in financial difficulty. These groups will be identified from existing Council records. The estimated volumes for each Group are included in brackets.

Group 1

- All (working age and pension age) Council Tax Support recipients in Council Tax Bands E to G (current estimate of 128)
- Residents with a reduced Council Tax liability that is treated as a Disabled Band Reduction under the rules in bands F to H (current estimate of 28)

Group 2

- Council Tax Support recipients of working age in bands A to D (current estimate of 1,944)

- 4.3 The Council will identify the eligible groups of residents using the entitlement date of 01-04-22. For a resident who was not in occupation and in the case of being a Council Tax Support recipient, not in receipt of Council Tax support on 01-04-22 residents not physically occupying on 01-04-22 will not qualify. If there is doubt over eligibility the Council may make enquiries to establish entitlement.

- 4.4 In the event of a resident falling into more than 1 category of the 2 Groups as described in 4.2 above, entitlement will be to the higher of the two award values (not both). To further illustrate this point as an example: a resident with a disabled band reduction who is also a recipient of Council Tax Support will be entitled to an award of £100.

- 4.5 There is no automatic right of appeal against a decision not to award a payment under a Discretionary Fund, or appeal against the value of any award made. The Council is prepared to conduct a review, if a resident asks us to in writing, to check if any refusal or award value is correct, or there is new information or evidence that requires a review of the decision to award or refuse. This is on the provision that there is adequate funding available to enable a fresh decision to be made. The only further recourse available to applicants is a judicial review. This is the means by which the decisions of Blaby District Council under discretionary powers may be challenged.

5. How will the value of award be calculated?

- 5.1 Eligible residents will receive a payment from the Discretionary Fund as follows:
- Group 1: £100

- Group 2: £50

6. How will payment be made?

- 6.1 Those entitled to a payment from this fund shall receive a letter from the Post Office Payout Scheme. These letters will be sent out in August 2022. Instruction will be included within the letter on how to claim the amount.
- 6.2 Any amount not claimed by an agreed date will be credited to the Council Tax account in November. No reminders will be sent.

7. Managing the Risk of Fraud

- 7.1 The Council and the Government will not accept deliberate manipulation and fraud. Any person caught falsifying their records to gain a payment may face prosecution and any funding issued will be subject to clawback, by civil and/or criminal proceedings as necessary, as may any awards paid in error.
- 7.2 The Council will put in place measures to detect and prevent fraud. This may delay making a payment until checks have been made. There will also be joint working across councils and government departments in preventing fraud.
- 7.3 The Council also reserves the right to check against national records and databases to highlight any potential fraudulent activity.

8. Policy Review

- 8.1 This policy has been written in line with Government guidance. It may be subject to review should circumstances dictate and in line with future clarifications and changes that may be announced by the Government.
- 8.2 The Section 151 Officer is authorised to make any necessary modifications to this document.