

# COUNCIL TAX HARDSHIP SCHEME

## 1. Introduction

1.1 An applicant, entitled to assistance under Sheffield City Council's Council Tax Support Scheme (CTS Scheme), will have their Council Tax liability reduced, and where this liability is not reduced to nil, will be required to pay this liability. Under this scheme, entitled "The Sheffield City Council's Council Tax Hardship Scheme" (Hardship Scheme), the Council where it is satisfied that an applicant is experiencing severe financial hardship which is impacting on their ability to discharge their Council Tax liability, may provide assistance. Assistance under the Hardship Scheme shall be referred to as "Hardship Assistance" (Assistance). Assistance shall have the effect of reducing the applicant's Council Tax liability (in addition to the reduction under the CTS Scheme).

## 2. Purpose of the Scheme

2.1 The purpose of the Hardship Scheme is that the Council may provide Assistance where it is satisfied that an applicant in receipt of a Council Tax reduction under the CTS Scheme is experiencing severe financial hardship and is struggling to discharge their Council Tax liability.

2.2 The Council recognises that some applicants will be more able to meet their liabilities than others. Therefore the decision whether to award Assistance, will, following an assessment, be based on the applicant's individual circumstances. The assessment shall take into account the applicant's household income and expenses.

2.3 The Council when considering an Assistance application shall have regard to the following principles:

- Applicants experiencing severe financial hardship who are least able to change their financial situation by being able to work, for example, because of age or disability issues, will, with regard to the Council's

limited financial resources, be given priority.

- Assistance is intended to provide short term financial support to applicants and therefore long term Assistance awards shall only be made where the Council considers there is exceptional circumstance meriting such an award.
- Assistance will not be awarded in respect of Council Tax liability incurred before 1 April 2013.
- Where under the CTS Scheme, a non-dependant charge has been included in the entitlement assessment, having the effect of reducing the level of entitlement under that scheme, assistance under the Hardship Scheme should not normally be awarded to reduce the Council Tax liability relating to the application of the non-dependant charge.
- Where the Decision Notice states that the Assistance award detailed in the notice is intended to be the only Assistance award to be made within the financial year to which the award relates, no further awards should be made in that financial year unless there is a significant change in the applicants circumstances and the Council considers the applicant is experiencing additional on-going financial hardship impacting on their ability to discharge their Council Tax liability, which therefore merits a further Assistance award.
- An applicant who has savings or other forms of capital should be expected to utilise the savings or capital to discharge their Council Tax liability.
- An applicant's entitlement to Discretionary Housing Payment (DHP) will be taken into account when the Council considers whether they are experiencing severe financial hardship. However, for the avoidance of doubt, an applicant may receive both a DHP and Assistance, at the same time.

### 3. Eligibility

3.1 The Council will not approve an application for Assistance unless it is satisfied that the applicant:

- Has made an Assistance application;
- That in respect of the period to which the Assistance application relates has been granted a Council Tax reduction under the CTS Scheme in respect of a property and has liability to the Council for Council Tax at that address;
- Is experiencing severe financial hardship impacting on their ability to discharge their Council Tax liability.

### 4. The Assistance

4.1 The Assistance will be in the form of a reduction in the applicants Council Tax liability, in addition to any reduction to Council Tax liability granted under the CTS Scheme. The Assistance may reduce part of the applicant's Council Tax liability, leaving a reduced liability, which the applicant will be required to pay, or all of the applicant's Council Tax liability, leaving a nil liability.

Assistance will be awarded for a set period (the Award Period). Where an Assistance award is made, a revised Council Tax account will be issued, detailing the applicant's revised Council Tax liability.

### 5. Application

5.1 The Council shall produce an Assistance application form (the Form). An application for Assistance shall be made by completing the Form and delivering it to the Council. An application shall be treated as been made on the date when a properly completed Form is received by the Council.

5.2 The Form includes a part that enables the applicant to provide a breakdown of

their household income and expenses, which the applicant is required to complete for the Form to be treated as properly completed. Where the Council consider that it requires additional information to enable it to decide whether to award Assistance, it shall request in writing that the applicant provide the information within 1 calendar month of the date of the request. Where the applicant, after the 1 calendar month time period has expired, has not provided the requested information, the Council shall decide whether to grant Assistance on the information in its possession.

## 6. Decision Making

6.1 The Council shall decide whether an applicant meets the Scheme eligibility criteria having regard to the matters set out at paragraph 3. Where the Council is satisfied that the eligibility criteria is met, it shall decide whether the applicant is experiencing severe financial hardship affecting their ability to meet their Council Tax liability. Where the Council is satisfied that this is the case, it will decide whether an Assistance award is merited and if so, the amount of the Council Tax reduction and the Award Period, having regard to the matters detailed in paragraph 2.3.

6.2 The Council will send the applicant a written decision notice (the Decision Notice), setting out the Council's decision.

6.3 Subject to paragraph 5.2, the Council shall, within 14 days of the date it received from an applicant a Form and any additional information requested under paragraph 5.2, or as soon as reasonably practical thereafter, issue the Decision Notice.

## 7. Changes in circumstances

7.1 An applicant in receipt of Assistance is required to notify the Council of any changes in their circumstances affecting their finances or their household composition.

7.2 Upon receiving notice of a change of circumstances, the Council will review the Assistance award, which may result in a revision of the Assistance award (including the ending of Assistance entitlement). A revision may have the effect of increasing or reducing the Council Tax reduction under the Hardship Scheme, and where the decision is to end the reduction under the scheme, have the effect of ending Assistance entitlement. The revision shall have effect from the date the Council is satisfied the change occurred.

7.3 Where the Council has revised an applicant's Assistance award, the Council will send the applicant a new Decision Notice, setting out the Council's decision. The decision will be treated as a new decision, giving the applicant the right to request a review under paragraph 9

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## 8. Backdating

8.1 When making an Assistance award the Council will decide the Assistance Period. The earliest possible commencement date for an Assistance Period will be the date that the applicant's Form was received by the Council. Therefore while the Council can decide an Assistance period commencing after the date the Form was received, it cannot, subject to paragraph 8.2, decide an Assistance Period commencement date, before this date.

8.2 Where an applicant:

- (a) makes an Assistance application which includes (or which the applicant subsequently requests should include) a period before the Form was received by the Council; and
- (b) from a day in that period, up to the date when the Form was received by the Council (or subsequently requested that the application should include a past period), the applicant had continuous good cause for failing to make an application (or request that the application should include that period), the application may be treated as made on the date determined in accordance

with paragraph 8.3.

8.3 That date, subject to paragraph 8.4, is the latest of:

- (a) the first day from which the applicant had continuous good cause;
- (b) the day 1 month before the date the application was made;
- (c) the day 1 month before the date when the applicant requested that the claim should include a past period.

8.4 Where the Council is satisfied that there are exceptional circumstances, it may decide that the date the application is treated as being made, is whichever of the dates under paragraph 8.3 as it considers appropriate.

## 9. Review

9.1 Should an applicant be dissatisfied with a Council decision on their Assistance application they may request a review of the decision (the Review Request). Subject to paragraph 9.2 a Review Request must be made in writing and be received by the Council within 1 calendar month of the date the Council sent the Decision Notice.

9.2 Where a Review Request is not received within 1 calendar month of the date of the Decision Notice and the Council considers that that the applicant has good cause for the delay in making a Review Request earlier, the Council may decide to review its decision on an applicant's Assistance application. The Council, subject to paragraph 9.3 shall not consider a Review Request received by the Council more than 3 calendar months from the date the Council sent the Decision Notice.

9.3 Where the Council is satisfied that there are exceptional circumstances it may accept a Review Request outside the time limit in paragraph 9.2, where it considers it appropriate.

9.4 The Council will review the decision detailed in the Decision Notice, having regard to the Review Request and any additional information provided by the applicant.

9.5 The Council will send the applicant a written decision notice (the Review Decision Notice), setting out the Council's decision on the review. The applicant has no further right of review.