

Section 13a Discretionary Payment

All local councils must have a Section 13A scheme through which any person can make a request for an amount of Council Tax to be reduced or written off. The award is discretionary. The local authority must have a system in place to allow a person to make the request.

All claims will be considered on an individual basis. There is a financial implication to the Council as funding for any section 13A discounts must be provided by the Council. All applications are considered on their individual merits.

Policy

All council tax payers can make an application for a discretionary Council Tax reduction. The discretionary reduction will only be granted in exceptional circumstances.

The following factors are considered:

- There must be evidence of severe hardship or personal circumstance that justifies a reduction in Council Tax liability.
- The customer must not have access to assets or savings that could be realised and used to pay Council Tax.
- Applications will be granted in exceptional circumstances and where other eligible discounts, reliefs, exemptions, Discretionary Housing Payments, Valuation Office/Valuation Tribunal action or appeals have been exhausted.
- If the Council Tax account is in arrears, the Council must be satisfied that non-payment was not due to wilful refusal or culpable neglect to pay the Tax.
- The payment record history of the council tax payer
- An award will be a one off payment only, to bring the applicant out of hardship with a view to them continuing/maintaining future payments.

Applying for a Section13a reduction

Requests for reductions in council tax liability should be made in writing to The Head of Revenues, 4th Floor, Laurence House, Catford, SE6 4RU. They should be made by the customer claiming the reduction, or a party authorised by the applicant.

The request must set out the circumstances upon which the application is based and any hardship or personal circumstances concerning why the relief is required. Providing details of what the applicant has done to reduce their indebtedness to the council.

Details of the applicant's financial circumstances are required. Evidence can include, but is not limited to, household income and expenditure details (using an Income and Expenditure form such as the National Debt Line budget form), utility and household bills.

Evidence may be requested that is relevant to the application (e.g. income and expenditure details, evidence of illness). No costs will be borne by the Authority in the provision of this evidence.

Where information or evidence requested has not been received within 21 days the Council will determine the application on the basis of the evidence and information in its possession. The Council may refuse to award a discount where a lack of information and or evidence does not enable the Council to reach an informed decision regarding the applicant's circumstances.

Applicants will be notified in writing of the outcome of their request. Successful applicants will be informed of the amount and period the discretionary council tax reduction has been awarded for. Any entitlement is applied to the Council Tax account and a revised bill is sent.

A decision will be made within 21 days of receiving all the information required.

Reconsideration of decision

A request for a reconsideration where no discretionary award has been made will be considered, or where the customer feels the award should be increased.

Requests for reconsideration should be:

- Made in writing where possible
- Received within 21 days of the decision being made on the discretionary discount
- Signed by the applicant or their authorised representative
- Include the reason for the review request

The Council will consider whether the customer has provided any additional information against the criteria to justify a change in decision.

The Council will notify the applicant of its decision within 21 days of receiving a request for reconsideration. The decision notice will include:

- The amount of the award (if appropriate)
- The period of the award (if appropriate)
- Provide details of how the award (if any) will be made

If you are unhappy with the Council's decision and wish to appeal the matter further, you would need to appeal directly to the Valuation Tribunal Service (VTS). Further information can be found at www.valuationtribunal.gov.uk

An appeal against the decision of the Valuation Tribunal can be made to the Upper Tribunal and to the High Court if the appeal is in respect of a point of law only.

Equalities

The Council is committed to equality and the fair application of the policy, ensuring that people receive fair outcomes in the standard of service they receive from the

Council and equality of access to Council services. This policy is fully inclusive and could support all members of the community, regardless of their race, gender, age, religion or belief, sexual orientation, marital or civil partnership status and/or disability in line with the principles set out in the Equalities Act 2010.

Fraud

The Council takes fraud seriously and has adopted a zero tolerance approach. All allegations of fraud will be investigated; should a person make a false statement or provide incorrect evidence in support of their application for discretionary hardship relief, they may commit a criminal offence. All such instances will be dealt with in accordance with the Anti-Fraud and Corruption Policy and any overpaid monies will be recovered together with any outstanding council tax.