TRAFFORD COUNCIL

Report to: Executive Committee
Date: 21 October 2024

Report for: Decision

Report of: Executive Member for Housing and Advice & Executive Member for

Finance, Change and Governance

Report Title

Proposed Changes to the Council Tax Support Scheme 2025-26

Summary

This report proposes changes to the Council's Council Tax Support Scheme from April 2025. The changes are proposed so that the scheme is easier to understand and administer and is a simplified claims process for working age residents in receipt of welfare benefits who have been moving, and will continue to now move at pace, on to Universal Credit.

The report seeks approval from the Executive to formally consult on the proposals that change the scheme for working age residents from April 2025.

Recommendation(s)

That the Executive:

- Approves the proposals contained in the report and agrees to the start of a formal consultation exercise to take place between 28 October and 17 November 2024 and;
- Notes that the outcome of the consultation will be reported back to the Executive in December 2024.

Contact person for access to background papers and further information:

Name: Louise Shaw Contact Number: 07815 699615

Background Papers: None

The Best Start for our Children and	The Council's Council Tax Support (CTS) scheme
Young People	promotes the Council's corporate priority of the best
Totality Totality	start for our children and young people, ensuring that
	financial relief is available to low income households
	with children and young people.
Healthy and Indonendent Lives for	
Healthy and Independent Lives for	The Council's Council Tax Support (CTS) scheme
Everyone	promotes the Council's corporate priority of healthy
	and independent lives for everyone, ensuring that
	financial relief is available to low income, eligible
	households.
A Thriving Economy and Homes for	Not applicable.
All	
Address the Climate Crisis	There are no significant climate change implications
	resulting from this proposal. The main avenue for
	consultation responses will be via the website in order
	to minimise the necessity of having to produce and
	issue paper forms.
Culture, Sport and Heritage for	Not applicable.
Everyone	11.
Relationship to GM Policy or Strategy	The Council's schemes are aligned to meet the
Framework	Council's corporate priorities, which in turn are aligned
Tramework	to GM Policy and Strategy Framework where required.
Financial Considerations	1
Financial Considerations	The existing Council Tax Support scheme is already
	funded by the Council at an estimated £14.1m in
	2024/25. This will increase in line with Council Tax
	increases. If a revised scheme is adopted, software
	costs will be required at an estimated c£30k and will
	be contained within the Exchequer Services revenue
	budget.
Legal Implications:	The Council has to formally set its CTS scheme before
	the start of each financial year in order for the Scheme
	to be formally adopted for that upcoming financial year.
	There is a legal requirement to formally approve the
	Council's CTS scheme in 2025-26 in accordance with
	the Local Government Finance Act 2012.
Equality/Diversity Implications	An Equalities Impact Assessment (EIA) has already
	started and will be carried out alongside the public
	consultation. The Council's CTS Scheme supports the
	Corporate Equality Strategy 2021-2025 in promoting
	the fair treatment of people in a way that reflects their
	needs.
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Sustainability Implications	The changes are particularly difficult to cost because it
	is not possible to say what will happen to people
	moving on to Universal Credit. The Council will need
	to monitor spend and as part of its annual setting of
	the scheme, propose adjustments that will support the
	level of funding available year on year.

Resource Implications e.g. Staffing / ICT / Assets	Software changes will be required to deliver the scheme and that will be at an additional cost to the Council. Staffing levels required to deliver the changes is higher than usual but can be met with existing resources due to it being over a shorter period of time. Scheme administration beyond implementation will be much simpler.
Risk Management Implications	There is a continued risk of increased demand resulting from higher take up, or increased numbers needing assistance or existing claimants' income reducing that are the responsibility of the Council. There is an increased risk due to the migration to Universal Credit from legacy benefits. This is a risk where the future demands and impacts cannot be determined with any certainty so will be subject to ongoing review in developing and adapting the scheme in line with budget restrictions.
Health & Wellbeing Implications	The consultation exercise is unlikely to have any significant implications for health and wellbeing. However, any subsequent significant reductions in the amount of CTS awarded in respect of people on low incomes could. These implications will be identified and reported in the final scheme recommendation report.
Health and Safety Implications	None.
Socioeconomic duty implications	The Council's Council Tax Support (CTS) scheme promotes supports people of low financial and economic means.

1.0 Background

- 1.1 Council Tax Reduction, referred to as Council Tax Support (CTS), provides financial assistance to help people on low incomes to pay their Council Tax. This can be up to 100% of their Council Tax liability.
- 1.2 CTS was announced in the 2010 Spending Review and in April 2013 Government transferred administration and responsibility of the Council Tax Benefits (CTB) system from the Department for Work and Pensions (DWP) to Local Authorities.
- 1.3 The CTS scheme was funded with a 10% reduced budget in 2013/14, with each authority designing and implementing a localised scheme and holding responsibility for any shortfall or surplus in the CTS budget. Since that time, funding for the CTS has been amalgamated into other central government grants paid to local authorities and into the Business Rates Retention regime. It is now generally accepted that it is not possible to identify the amount of funding provided by government for CTS.
- 1.4 Local authorities do not have full control over the setting of their scheme as there is prescribed legislation that dictates several eligibility criteria, the most significant one being the prescribed requirements on the calculation of pension age claimants, which mirrors the

previous CTB scheme. Therefore, local authorities only have the autonomy to set a CTS scheme for working age claimants, and there are some prescribed matters for working age claimants as well.

- 1.5 Each year approximately 13,000 Trafford residents receive support through the CTS scheme, with the annual cost in 2024/25 estimated at £14.1m. Approximately 40% (c£5.6m) of that total relates to the prescribed pensioner scheme as described in Para 1.4. The remaining 60%, therefore, is the working age cohort subject to the proposed changes.
- 1.6 This report outlines the background, options, and recommendations for delivering a revised local CTS scheme for the Council from April 2025. Pensioners will retain the same levels of support as the pre-2013 scheme and therefore the changes proposed only affect working age claimants, predominantly those in work and in receipt of Universal Credit (UC).

2.0 Key Elements of Trafford's Current CTS Scheme

- 2.1 Trafford's present scheme is largely based on the default position offered by the government in 2012. The full scheme rules can be viewed on the Council's website at Council-Tax-Support-Scheme-2024-2025.pdf (trafford.gov.uk), however the main aspects are explained in simple terms below:
 - Pensioners who qualify for CTS due to having low income and savings (c40% of total claimants) are protected under legislation and are exempt from local scheme changes.
 - Of the remaining working age claimants, c81% out of work claimants receive the 100% maximum CTS award (less any non-dependant deductions* and/or a Band Cap**).
 - The in-work claimants, c19%, are means tested based on their household circumstances, for example, the number of adults and children, disability benefit entitlement, caring responsibilities, and their income and capital.
 - Not all income and capital is taken into account and there are a number of premiums and disregards that are applied before the final calculation is carried out to determine the level of award.
 - There are different rules for the treatment of self-employed income. In line with Universal Credit (UC) rules, an assumed amount of income, equal to the national minimum wage after 12 months is used in the calculation.
 - In line with national benefits, the two-child benefit cap is applied.
 - Claimants in the defined Protected Groups*** receive a higher award of CTS, for example, the Band Cap is not applied and all child benefit income is disregarded from income.
- 2.2 The following table shows the property breakdown and benefit levels split across the Council Tax bands. This was based on a snapshot position as at 14 August 2024:

		Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
Number properties	of	20,010	22,912	27,702	15,571	7,927	4,691	4,219	1,061	104,093

Number of these that are empty	1201	1108	1001	590	244	157	162	68	4531
Number of working age households in receipt of partial Council Tax Support	675	452	237	79	45	18	15	2	1523
Number of working age households in receipt of maximum Council Tax Support	3988	1663	545	180	8	9	3	0	6396
Working age total	4,663	2,115	782	259	53	27	18	2	7919
Number of pension age households in receipt of partial Council Tax Support	561	388	242	92	33	12	4	1	1333
Number of pension age households in receipt of maximum Council Tax Support	1798	917	549	209	66	16	8	2	3565
Pension age total	2359	1305	791	301	99	28	12	3	4898

^{*} A non-dependant deduction is an amount of money taken from UC, HB and CTS because someone over the age of 18 lives with

Drivers for Change 3.0

- 3.1 At the time Trafford's CTS scheme was set up, UC was not a live benefit. It was first implemented in Trafford in 2014 and has been slowly rolled out since.
- 3.2 Over the past 12 months, the Working Families Tax credit migration has meant that from April 2025 nearly all in-work CTS claimants will be in receipt of UC. Other group's migration has also started meaning that Universal Credit will shortly be the single mainstream provision for most working age people on low income.

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** A Band Cap is a restriction at the level of CTS support received against liability charge. In Trafford the Band Cap is a Band D that
means that the most amount of a reduction is restricted to a Band D

***Protected groups are claimants and/or their partners who receive the middle or high rate of Disability Living Allowance for Care or Mobility

- 3.3 The Council's existing CTS scheme for people in receipt of Universal Credit is complex and therefore difficult to understand and administer as there are a number of manual calculations as well as a disparity between the elements within Universal Credit and Council Tax Support.
- 3.4 The proposed changes are designed to make the process of claiming CTS as easy as possible for all claimants, including working age people claiming UC, as well as easier for residents and advice agencies to understand how the CTS has been calculated. Simplifying the administration process and making it 'digital by default' is also a driver.
- 3.5 A big change introduced by UC is that any changes in a claimant's income, however small, will be reported to the Council due to the use of 'real time information'. Under the 2024-25 CTS scheme this means that the Council must reassess their CTS claim every time a change in income is notified. This in turn means a new Council Tax bill is issued and it may mean a new payment plan needs agreeing. Current figures show that there could be as many as twelve changes each year where monthly income levels fluctuate.
- 3.6 Other areas for change that cause complexity in the system and difficulty for claimants to gather the relevant information relates to non-dependent deductions. This is where a deduction can apply based on the income of adults over the age of 18 living in the household. If no financial information is provided then the highest deduction is taken.

4.0 Considerations in Designing the Proposed CTS Scheme

- 4.1 Trafford have considered all aspects of the scheme in discussions with representatives from the Council's Welfare Rights team and Digital Managers. Trafford has worked with an external company who has worked closely with a number of local authorities revising their schemes. They have also been able to provide a modelling tool to allow Trafford to cost up a variety of proposals.
- 4.2 A detailed comparison exercise to understand how Trafford's scheme compares against a range of other Councils has also been undertaken. This includes the Greater Manchester Councils who we often benchmark against. The findings from the latter can be found in **Appendix A**.
- 4.3 The comparison exercise has looked at a range of criteria including things such as:
 - Income Banded schemes
 - Maximum award percentages
 - Band Caps
 - Council Tax collection rates
 - Non-dependent deductions
 - Capital Limits
 - Tariff income (an assumed interest income from savings held)
 - Income disregards
- 4.4 This exercise has evidenced that, whilst Trafford's scheme is generous at the headline level, i.e. the 100% maximum award and the Band D cap, in other respects it is less generous, i.e. the inclusion of child benefit for children over the age of 5. These findings have been considered in developing the proposed scheme.

4.5 In addition, a lot of research has been undertaken in relation to what information the UC notification will include as part of the data sharing agreement with the DWP and how that can be aligned to increase the opportunities for digital automation. A number of meetings have been held with other local authorities who use the Council's CTS software system, in addition to demos and meetings with the software provider and these findings have played a significant role in the development of the proposed scheme.

5.0 Proposed CTS Scheme

- 5.1 Having evaluated the information gathered as detailed above, the Council would now like to propose to consult on a number of CTS scheme changes, the most significant of which is to implement an Income Banded Scheme. This will align the calculation of the award with the calculation with UC as far as is practicably possible.
- 5.2 The evidence gathered supports the view that an Income Banded Scheme aligned to UC is easier to understand and avoids creating new Council Tax bills every time a small change in UC income is reported.
- 5.3 This would mean that where a change in a resident's income fell within the same income band that their previous UC income was in, no change would be made to their CTS award. In turn no letters or new bills would be issued.
- 5.4 Based on the outcome from the modelling tool, the comparison exercise completed against other GM Councils and case studies, the proposed estimated banded scheme levels are detailed below. These are based on current figures but both the CTS Discount percentage levels and income bands will need to be reviewed each February as part of the Council's budget setting process to ensure the scheme costs aligns to the budget. The mechanism for the review in February will be driven by the cost of the scheme and as the scheme is demand led, that can only be known based on the data available as close to the budget setting process as possible. The Council will consider the following factors:
 - Annual Inflation (in line with the DWP) the income bands will be reviewed and annual
 uplifts considered for the income band levels in line with things such as national benefit
 increases, minimum wage changes.. These are unknowns at the time of consulting.
 - Number of people in receipt of CTS similar reports to those used for the modelling will be
 run and any predicted forecasting taken into account, for example how many more CTS
 claimants may be pension age. This data will then be input into the data modelling tool and
 the level of discount will be determined based on affordability. These are unknowns at the
 time of consulting as residents come on and off CTS throughout the year.
 - The Cost of the CTS Scheme as above, the modelling will be re-run with the latest figures to determine overall costs and what the budget is for the following financial year.
 - Annual Council Tax setting Council Tax increases will inevitably increase the levels of support and are a factor to consider as part of the budget setting process. This is based on the setting of the Council Tax base which takes place in January of each financial year and therefore will be unknown at the time of consulting.
 - Impact of UC on the CTS scheme as the UC migration continues to roll-out, it will impact on the CTS scheme costs. As we do not know how each individual UC claim will be

calculated we cannot accurately forecast future costs of UC recipients to the CTS scheme and we will therefore need to build up this data as part of the migration timetable.

It is important to note that the consultation will be based around the general changes to the scheme and not the estimated banded scheme levels set out below.

CTS Discount (%)	Single (Weekly income)	Couple (Weekly income)	Family 1 Child (Weekly income)	Family 2 Child (Weekly income)
100%	£105 or less	£165 or less	£235 or less	£340 or less
60%	£106 to £135	£166 to £200	£236 to £270	£341 to £375
40%	£136 to £165	£201 to £235	£271 to £305	£376 to £410
20%	£166 to £195	£236 to £270	£306 to £340	£411 to £445
0%	£196+	£271+	£341+	£446+

- 5.5 In determining the income band in which the claimant falls in to, the following income disregards would be applied:
 - From UC income, housing costs, childcare element (aka childcare costs), disabled child element and ESA limited capability for work component (the current CTS scheme disregards all of these but as income only is used for the banding scheme, those in receipt of childcare costs will see a reduction in their CTS claim).
 - Child Benefit (this is more generous than the current CTS scheme which currently only disregards for children aged 5 and under or in the Protected Groups***).
 - War Pensions and War Widows Pensions (this is equal to the current scheme applied under the Council's local discretion).
 - There will no longer be a tariff income (assumed interest) from capital applied (this is more generous than the current CTS scheme).
- The Council also proposes to consult on making changes to the way in which non-dependant deductions are calculated. Currently non-dependant deductions can apply from aged 18, and, unless in one of the disregarded groups, the income of the non-dependant determines the level of deduction based on their income. The UC award notification will not provide this level of detail and they don't apply a deduction for aged under 21. It is proposed to mirror the UC non-dependent disregards (see Appendix B) and apply a flat rate of £9 per week if they are not disregarded. The £9 figure has been determined based on the average non-dependant rate in the current scheme.
- 5.7 The table below details the current non-dependant rates to show the financial changes to the CTS award as a result of this proposal:

Weekly Earnings	Weekly Non- Dependant Deduction	No of Claims	Total based on current CTS scheme	Total based on proposed CTS scheme
£0.00 - £256.00	£5.88	395	£2323	£3555
£257.00 - £445.00	£12.06	66	£796	£594
£446.00 - £544.00	£15.12	15	£227	£135

£545.00+	£18.12	62	£1123	£558
		Total	£4469	£4842

- 5.8 A further proposal is to reduce the Band D cap to a Band B cap. The reasoning behind this is that this better aligns with GM authorities who have Band Caps in place (see table in **Appendix A**). There are currently 745 working age claimants in a Band C or above in receipt of full CTS and 396 in these bands in receipt of partial CTS. Taking into account those in protected groups, this would leave 623 people affected by this change.
- 5.9 It is widely accepted by experts in the field that it is not possible when implementing a fundamental change to a CTS scheme that every single personal household scenario can be accounted for. This is particularly enhanced with the unknowns of the UC migration as there is no way of knowing how future UC awards will be calculated. It is common for Councils to use their discretions to award a Discretionary Council Tax Support award where it is identified that the scheme has not worked as intended and this is the proposal for Trafford. This will also mean that it is likely that the Council will need to make changes to the scheme year on year.

6.0 Consultation

- 6.1 Council Tax legislation requires the Council to agree its local CTS scheme for each financial year in relation to working age claimants.
- 6.2 The scheme for pension age claimants is prescribed by Government and we have no powers to change these rules. Government usually adjusts the pension age rules each year and the Council will incorporate these changes into its scheme when it is notified, usually in December.
- 6.3 Major changes to the Council's working age CTS scheme require, by law, full public consultation. This consultation has to include the other major precepting authorities i.e. the Police Authority and Fire Service.
- 6.4 Consultation has already taken place with the Council's Welfare Rights and Digital team, where feedback has been sought throughout the variable options available to the Council. The main public consultation is proposed to take place between 28 October and 17 November 2024. The consultation will be available for completion online and also there will be a number of key stakeholder events.
- 6.5 The results and appraisal of the consultation responses along with the final proposals will be brought back alongside a draft formal CTS scheme to the Executive in November 2024.

7.0 Other Options

7.1 The Council could have considered not making changes to the CTS Scheme however this would mean that the scheme would remain complex to administer, difficult to understand the calculations, not align to Universal Credit and not be able to benefit from digital automation which will speed up processing of new claimants and changes in circumstances.

- 7.2 The Council considered a number of different options, there are various types of CTS schemes; some are simpler than others though they all involve some form of means-testing in order to control costs. See **Appendix D** for advantages and disadvantages of different scheme types.
- 7.3 The Income-banded scheme offers the most advantages to both residents and the Council as it will be easier for those receiving UC to understand, a simpler means test and lower administrative costs.

8.0 Reasons for Recommendations

8.1 The Executive is asked to approve the proposals for the revised CTS scheme as detailed in this report for consultation, with the outcome of the consultation and proposed final scheme to be brought back to the Executive in December.

Key Decision: No

If Key Decision, has 28-day notice been given? No (see 'urgency of decision')

Finance Officer Clearance GB

Legal Officer Clearance EM

DIRECTOR'S SIGNATURE

	G.	Bentley	
(electronic)			

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

Appendix A – Comparison Exercise Overview - GM CTS Scheme Benchmarking

2022-23										
Council	Trafford	Stockport	Wigan	Bury	Bolton	Oldham	Rochdale	Tameside	Salford	Manchester
Maximum %	100.0%	100.0%	80.0%	80.0%	82.5%	85.0%	85.0%	75.0%	88.0%	82.5%
Maximum										
%										
Protected	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Maximum										
Band	D	А	N/A	В	N/A	Α	A	Α	N/A	N/A
							Income			Income
Taper	30%	20%	20%	20%	20%	20%	Banded	25%	25%	Banded
Upper										
Capital Limit	£16,000	£8,000	£12,000	£8,000	£3,000	£16,000	£16,000	£16,000	£16,000	£16,000
Income from	Include									
Child	for	Disregard								
Benefit	Over 5s									
Collected										
(%)	97.38%	97.47%	96.02%	94.98%	94.45%	94.18%	93.98%	93.66%	92.01%	88.25%
Consulting							Already			Already
on a banded							Operating			Operating
scheme							Income			Income
	_		_				Banded			Banded
	Proposed	No	No	No	No	No	Scheme	Yes	Yes	Scheme

Appendix B - CTS Scheme Comparison (UC Customers) 2024/25 vs 2025/26

2024/25	2025/26
Applicable amount.	Banded Scheme with no applicable
	amount.
30% Income taper – 20% for Protected	Banded Scheme with no income taper.
Groups	
Tariff income on capital held between £6K and £16K.	No tariff income.
Child Benefit included as income for over 5s unless passported/UC no earnings/applicable income.	Child Benefit disregarded in all cases.
50% of pension contribution disregarded	100% of pension contribution disregarded
from earnings.	from earnings.
Standard weekly earnings disregards (£5 single, £10 Couple, £20 Disabled, £25 Lone parent).	No standard earnings disregards.
Additional weekly earnings disregard (£17.10) if hours worked criteria met.	No additional earnings disregard.
Childcare Element of UC disregarded as	Housing, Carer, Limited Capability for Work,
income.	Disabled Child, Childcare and Housing
	Elements of UC disregarded as income.
Band D Cap	Band B Cap
Non-dependant deductions for 18+ in work, with rate dependant on income *see rates below (Protected Scheme exempt). No deduction for non-dependants under 25 on passported benefits/UC with no earnings.	Flat rate non-dependant deduction of £9 per week for all non-dependants 21+ (for couples, one each will be taken) unless exempt from deductions which, in line with UC deductions is as follows: Claimant/partner is certified blind, in receipt of PIP daily living component, DLA Care middle of higher or Attendance Allowance and/or: Non-dependant is in receipt of DLA in receipt of PIP daily living component, DLA Care middle of higher or Attendance Allowance and/or: Aged under 21 Receiving Pension Credit Receiving Carers Allowance A carer of a child under 5 A prisoner A child or step-child in the Armed Forces

Current non-dependant deduction rates:

Weekly Earnings	Weekly Non-Dependant Deduction
£0.00 - £256.00	£5.88
£257.00 - £445.00	£12.06
£446.00 - £544.00	£15.12
£545.00+	£18.12

Appendix C – Number of Properties in each Council Tax Band

		Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Number properties	of	20,010	22,912	27,702	15,571	7,927	4,691	4,219	1,061

Appendix D – Advantages and Disadvantages of Scheme Types

The advantages and disadvantages of the three types of scheme as a whole are:

Type of scheme	Advantages	Disadvantages
Default (standard)	 Tailored to the detailed circumstances of applicants. Can be seen as fair. Tried and tested. 	 Complex Difficult to explain. Relatively costly to administer Unable to automate
Income-banded	 Involves a simpler means test. Easier to calculate for those receiving UC. Lower administrative costs 	 Creates cliff edges rather than a smooth taper, as income increases Unresponsive to small changes in income
Discount	 Can be simpler to operate (and to understand) Lower administrative costs Could ultimately be combined with other discounts. 	 Can be expensive so, to control cost, the amounts payable can be low. Broad brush and can create cliff- edges. Relies on receipt of, or entitlement to, other benefits.

Over the years, local authorities have made a series of changes to their working-age schemes most of which can work with either a default or an income-banded scheme. The advantages and disadvantages of the most common modifications are considered below:

Type of modification	Advantages	Disadvantages
Maximum amount (% of liability) or minimum payment	 The main scheme cost saving measure Promotes idea that all should contribute something 	 Difficult to collect small amounts of council tax. Can lead to more indebtedness.
Minimum award/entitlement	 Fewer new council tax bills arising from small- scale changes. Administrative savings 	Even small amounts of CTS are important for some less well-off people
Band restriction	 Cost saving measure Arguably, progressive in that relatively well-off pay more 	 Not everyone with a higher band property has a (relatively) higher income. Trafford's average is Band C, already have a Band D cap – minimal impact CTS should be based only on financial circumstances.
Lower Capital limit (typically £6000)	 Small cost saving measure Removes the need for tariff income if limit set at £6000. 	Discourages saving.Tight means test with such a low capital limit
No non-dependant deductions	Easier to administer.Positive work incentive	Medium cost (depending on caseload)Can be seen as unfair.
Flat rate non- dependant deductions	 Easier to administer as no need to get evidence of earnings. Work incentive for some. 	Unless there are exceptions, tends to penalise those non- dependants with low or no income
UC claim notification from DWP treated as an application for CTS	 Removes need for separate applications. Some administrative savings Promotes take-up of CTS 	Trafford's manual calculations make people better off