

NORTHUMBERLAND

Northumberland County Council

Corporate Fraud Team

Counter Fraud Policy

1 Introduction

- 1.1 Northumberland County Council is a major provider of services to the community, and as such the Council's members and staff have a responsibility to ensure the highest standards of probity are maintained.
- 1.2 Under the provisions of the Local Government Act 1972 (s.151) the Council has a statutory responsibility to protect and ensure the proper administration of public funds.
- 1.3 Northumberland County Council is committed to sound corporate governance and has demonstrated this by adopting a Code of Corporate Governance in accordance with National and Professional Standards. This requires the Council to define the standards of personal behaviour and conduct that members and staff and those involved in service delivery are expected to display.
- 1.4 An integral element of this approach is the Council's determination to eradicate fraud and corruption whether it is attempted from within or outside the Council.
- 1.5 It is important to emphasise that the County Council has traditionally had a good record with respect to probity and the instances of detected fraud and corruption within its activities have been relatively few.
- 1.6 In administering its responsibilities the Council is committed to the highest ethical standards. It expects all its members and staff to lead by example in ensuring adherence to rules, procedures and recommended practices whilst maintaining conduct of the highest standards such that public confidence in their integrity is maintained.
- 1.7 The Council also expects that individuals and organisations that it comes into contact with will act towards the Council with integrity and without thought or actions involving fraud or corruption.
- 1.8 Members and staff need to be aware that fraud and corruption will not be tolerated under any circumstances and if they become aware of any malpractice or wrongdoing and they unreasonably fail to take appropriate action to eliminate that activity then they themselves become implicated in such acts.
- 1.9 If any individual has any information regarding malpractice or wrongdoing in the County Council this should be brought to the immediate attention of their Line Manager.
- 1.10 If a member of staff raises a concern regarding financial malpractice then the details must be passed immediately to the Corporate Fraud Manager for consideration of appropriate action. Managers should only establish the

basic facts of the suspicion and should not attempt to carry out any investigation themselves.

2 Policy Aims & Objectives

2.1 This Policy links to two of the Corporate Objectives set by the County Council in November 2013:

- Economic Growth;
- Developing the Organisation

2.2 The Corporate Fraud Team contribute to these two objectives by being committed to the prevention, detection and investigation of internal and external fraud and by working in partnership with other agencies reducing the incidence of crime and theft against the Council.

2.3 Under the Council's Constitution and the Finance and Contract Rules, the Chief Executive (Section 151 Officer) has responsibility for the development and maintenance of an anti-fraud and anti-corruption strategy which includes the avoidance of involvement in money laundering.

2.4 This responsibility has been delegated to the Corporate Fraud Manager and through this Counter Fraud and Corruption Policy the Corporate Fraud Team will;

- Provide an effective counter fraud service.
- Develop and implement measures to prevent and detect all forms of fraud against the Council.
- Develop a range of initiatives aimed at reducing and ultimately eliminating all forms of fraud and error as far as possible in Northumberland through the building of effective controls into our working practices.
- Operate the counter fraud service in a secure environment.
- Conduct high quality assessments with appropriate investigations when fraud is suspected to ensure that full compliance with legal requirements are met to enable prosecution where appropriate.
- Take action where appropriate in line with the Corporate Enforcement Policy and use all legal sanctions available for recovery of any losses through fraud.
- Provide all Corporate Fraud Team members with appropriate and regular training.
- Deter internal and external fraud by publicising the Councils' anti-fraud measures, including details of how any type of suspected fraud may be reported and actively encouraging the public, employees and members to report such suspicions.

- Regularly publicise successful prosecutions and achieved savings as a result of anti-fraud activity.

3 Linked Policies

- 3.1 This Policy should be read in conjunction with the following additional fraud related policies developed by the Corporate Fraud Team:
- Bribery & Corruption Policy
 - Anti Money Laundering Policy
- 3.2 The County Council also has a Whistleblowing Policy which is maintained by HR in conjunction with the Monitoring Officer.
- 3.3 For further information on any of these policies or for advice on any potential fraud related concerns please contact:

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Revenues and Benefits Service

Discretionary Housing Payments Policy

Introduction

1. The Discretionary Financial Assistance Regulations 2001 (SI 2001 No.1167) gives powers to local authorities to award Discretionary Housing Payments (DHP) to provide financial assistance to benefit customers where it appears that they need help with their housing costs.
2. Housing costs are not defined in the regulations but in general housing costs means rental liability; however, housing costs can be interpreted more widely to include:
 - rent in advance
 - deposits
 - other lump sum costs associated with a housing need such as removal costs.
3. DHP are not payments of benefit and if made will be in addition to Housing Benefit awards. The legislation gives a very broad discretion but decisions must always be made fairly, reasonably and consistently.
4. The general features of the scheme are:
 - the amount the Council can pay out is cash limited by the Government,
 - the scheme is purely discretionary; a customer does not have a statutory right to a payment,
 - It is for the Council to determine how the scheme operates.

Policy Aims

5. The function of the policy is to specify how the Council will operate the DHP scheme and to illustrate some of the factors that will be considered when deciding if a payment can be made.
6. The primary aims of the policy are to prevent homelessness, to alleviate housing need, and to ensure that Northumberland residents have fair and equal access to all services and monies to which they may be entitled by virtue of their situation.
7. The Council is committed to working with the local voluntary sector, social landlords and other interested parties to maximise entitlement to benefit and this will be reflected in the administration of the DHP scheme.
8. The Council will consider making a DHP to customers who meet the qualifying criteria as specified in this policy. They will also treat all applications on their own individual merits and will seek through the operation of this policy to help:
 - alleviate poverty,
 - encourage and sustain Northumberland's residents in employment,
 - safeguard Northumberland residents in their homes,

- provide temporary support for those who are trying to help themselves,
- provide a temporary solution to enable people to make choices regarding their living accommodation,
- support the vulnerable in the local community,
- promote stability in the private rented sector,
- help customers through personal crises and difficult times

Responding to Welfare Reform.

9. This policy also sets out the Council's policy in using DHP to help those suffering severe hardship due to the Government's welfare reforms. These include changes made to Local Housing Allowances, reductions in Housing Benefit entitlement due to the introduction of size criteria in the social rented sector and the introduction of the Benefit Cap which, in the first instance, will see Housing Benefit reduced for most families where total benefits exceed £500 per week.
10. The Government funding for Discretionary Housing Payments will not compensate for the loss of benefit income to tenants in Northumberland. It recognises the government's intention for tenants to have to make hard choices and that Discretionary Hardship Payments will not be a substitute for these hard choices.

Social Sector Size Criteria

11. The Government has provided additional DHP funding relating to Social Sector Size Criteria aimed at supporting households with disabilities living in properties adapted for disability and foster carers with more than one additional room.
12. These are not the only groups who will need to be supported. Separated and divorced parents with child access arrangements will need additional support as well as tenants faced with exceptional hardship. It will not be possible to protect all tenants in these groups within the Government's funding contribution and additional considerations will need to be taken into account.

Benefit Cap

13. The Benefit Cap will impact mainly on families and is not expected to affect single people in Northumberland. The number of families affected is relatively small but the impact for many of the families is expected to be significant. The majority of the families affected will live in private rented accommodation but a number are renting in the social rented sector.
14. The Benefit Cap does not apply to families where the claimant is working for 24 hours a week or more. The longer term aim is to help families make the move into work. In the meantime support will be targeted to those families where:
 - financial support is required to facilitate a move to more affordable accommodation; or

- the shortfall in rent is too great to cover from other household income;
- alternative more affordable accommodation is not appropriate;
- a lower rent cannot be negotiated; and
- there is a real risk of the family becoming homeless.

Local Housing Allowance

15. The Local Housing Allowance changes, which affect only tenants in the private-rented sector, have been in force since April 2011. However, tenants already getting benefit at the time the changes came in received transitional protection for a while. The impact of the changes is dependent on:
- whether rents are reduced to reflect the new LHA rates; and
 - the levels at which Local Housing Allowances are set by the Valuation Office
16. In the first instance landlords should be encouraged to reduce rents in exchange for direct payments of Housing Benefit. Where this is not appropriate, Discretionary Housing Payments support will be targeted to those private sector tenants where:
- It is unlikely there would be alternative more affordable accommodation;
 - The tenant is subject to the Shared Accommodation Rate but requires an additional room under child access arrangements; or
 - There are exceptional circumstances that mean it is not appropriate for the tenant to move to more affordable accommodation.
17. Discretionary Housing Payments will not normally be made to tenants entering into a new tenancy. Local Housing Allowance rates are made public and most landlords are aware of the rates for the types of accommodation they provide. An exception to this will be where a tenant has had to move quickly, perhaps because they are fleeing domestic violence or there is another compelling reason.

Policy

18. The Council considers the DHP scheme should be seen primarily as a short-term emergency fund. The Council recognises the restrictions on DHP contained in the Regulations and will not seek to make a payment in circumstances where there can be no eligibility. In particular, there shall be no award of DHP unless the customer has some entitlement to Housing Benefit.

Making an Application

19. An application for DHP can be made in writing, by telephone, email or in person. A customer can make an application on his or her own behalf, and the Council will also accept an application from a customer's relative, friend, legal or personal representative.

20. The Council shall take reasonable steps to verify that any such representative has the customer's authority to act on their behalf with the Council on benefit matters.
21. Supporting information may also be supplied as well as representations from any organisation representing or acting on behalf of the claimant.
22. The Council may request information and evidence in support of a DHP application. Any request will be made in writing. The customer will have one month to comply with the request, or such longer time as is reasonable.

What may be considered?

23. In deciding whether to make a DHP the Council may take into account any or all of the following:
 - the shortfall between Housing Benefit and the customers actual liability,
 - any steps taken by the customer to reduce their rental liability,
 - the circumstances surrounding the customers move,
 - the financial and medical circumstances (including ill health and disabilities) of the customer, their partner and any dependents or other occupiers of the customers home,
 - the income and expenditure of the customer, their partner and any dependents or other occupants of the customers home, including income disregarded by the Housing Benefit Regulations 2006 and Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
 - any savings or capital that might be held by the customer or their family,
 - the level of indebtedness of the customer and their family,
 - the discriminatory impact of any legislative or other circumstances – for example, the lower rates of benefit available to persons aged under 35,
 - the exceptional nature of the customer and their family's circumstances,
 - the amount available in the DHP budget at the time of the application,
 - the possible impact on priority homeless accommodation;
 - any other special circumstances brought to the attention of the Council
24. Where a DHP is made this does not guarantee a further payment will be made at a later date even if the customers circumstances remain the same.

Making a decision:

25. The Council will decide what amount, if any, to pay based on all of the circumstances. This can be any amount within the limits prescribed by the Discretionary Financial Assistance Regulations 2001.

26. The start date of a DHP will usually be:
- the Monday after the Council receives the application, or
 - the date entitlement to Housing Benefit started, or
 - the Monday after a relevant change of circumstances giving rise to the need for a DHP
- whichever is the most appropriate.
27. A DHP will not be paid for any period for which there is no entitlement to either Housing Benefit under the statutory scheme.
28. The length of a DHP award shall depend on the individual circumstances of the case. Any award shall be subject to review, which can be undertaken during or at the end of the period for which the DHP is paid.
29. On review, the Council may authorise an extension of any DHP, either at the same or a different weekly rate.
30. The Council will consider any reasonable request for backdating a DHP but such consideration will usually be limited to the current financial year.
31. The Council will aim to make a decision on all DHP within ten working days from the receipt of all relevant information.

Payment & Administration

32. DHP will be administered by the Revenues and Benefits Team and usually paid together with Housing Benefit.
33. The Council will decide upon the most appropriate person to pay and the method and timing of payments based on the particular circumstances of the case.

Notification

34. The Council will notify the customer of the outcome of their application in writing in every case. The decision notice will include:
- the weekly amount, the period of the award, how, when and to whom payment will be made,
 - if unsuccessful, a brief explanation of why DHP was refused,
 - the requirement to report any relevant change,
 - the opportunity to seek a review.

Changes in Circumstance

35. The Council may need to revise an award where the customer's circumstances have materially changed.

What Discretionary Housing Payments cannot cover

36. Ineligible charges: service charges that are not eligible for HB cannot be covered by a DHP. These are as specified in Schedule 1 to the Housing Benefit Regulations 2006 and Schedule 1 to the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006. Nor can DHPs cover charges for water, sewerage, and environmental services – as defined and calculated under the HB provisions.
37. Increases in rent due to outstanding rent arrears: Regulation 11(3) of the Housing Benefit Regulations 2006 and Regulation 11(2) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 refer. This refers to those cases where a customer's rent is increased on account of outstanding arrears which are owed by the customer in respect of their current or former property.
38. Sanctions and reductions in benefit: DHPs cannot meet these because to do so would undermine the effectiveness of the sanctions or reduction in benefit. These are
 - any reduction in Income Support (IS) or income-based Jobseeker's Allowance (JSA(IB)) due to a Reduced Benefit Direction (RBD) for failure to comply with the Child Support Agency in arranging maintenance. The RBD is a reduction in benefit of 40% of the personal allowance and only applies to IS or JSA(IB)
 - any reduction in benefit as a result of non-attendance at a work-focused interview. This applies both where the person's HB/CTS is reduced and when any other benefit that the person is receiving, such as IS is subject to a sanction
 - any reduction or loss of benefit due to a JSA employment sanction. JSA is not payable for the period of sanction if they have contributed towards their unemployed status, for example, by leaving employment voluntarily or failing to attend a prescribed training scheme. In such cases, it may be possible for a reduced rate of JSA to be paid under the JSA hardship provisions
 - any reduction in benefit due to a JSA sanction for 16/17 year olds – for certain young people who receive JSA under a Severe Hardship Direction. JSA is not payable for the period of the sanction if they have contributed towards their unemployed status, for example, by leaving unemployment voluntarily or failing to attend a prescribed training scheme,
 - or any restriction in benefit due to a breach of a community service order
39. Benefit suspensions: HB can be suspended either because there is a general doubt about entitlement or because a customer has failed to supply information pertinent to their claim. In such cases, it would not be

permissible to pay DHPs instead. One of the intentions of the suspension provisions is to act as a lever to ensure that the customer takes the necessary steps to provide the authority with the necessary information/evidence - paying DHPs could reduce the effectiveness of this lever.

40. Rent, when the person is getting council tax support but not HB or help with housing costs in UC: in other words, when a person is only getting local council tax support, you should not take into account any financial assistance that they may require with their council tax, when considering the award of a DHP.
41. Shortfalls caused by HB overpayment recovery: when recovery of an HB overpayment is taking place, such shortfalls should not be considered for a DHP.

Appeals

42. As DHP are not payments of Housing Benefit they are not subject to the statutory appeals procedure which governs those benefits. Any request for a review of a DHP decision will be dealt with in the following way:
 - A customer (or their appointee or agent) who disagrees with a DHP decision may seek a review by writing to the Revenues and Benefits Manager giving their reasons for the disagreement. The Revenues and Benefits Manager will consider the issues in dispute and will either confirm or revise the original decision. The Revenues and Benefits Manager's decision will be notified in writing to the customer together with the reasons for that decision. This decision will be the final decision of the Council.

Overpayments

43. The Council will seek to recover any DHP found to be overpaid. Normally, this will involve issuing an invoice to the customer or the person to whom the award was paid. Under no circumstances will recovery be made from any amounts of Housing Benefit due to the customer (except if the customer requests this method of recovery).

Fraud

44. The Council is committed to the fight against fraud in all its forms. A claimant who tries to fraudulently claim a DHP by falsely declaring their circumstances or providing a false statement or evidence in support of their application may have committed an offence. Where it is alleged, or the Council suspects, that such a fraud may have been committed, the matter will be investigated. If fraud is found to have occurred, the DHP shall be recovered and the Council shall consider whether to impose any formal sanctions.

Publicity

45. The Council will publicise the DHP scheme. Leaflets are available and information regarding the scheme is on the Council website.

The Council shall make its publicity material available to partner organisations such as Citizens Advice, social landlords and relevant community groups, with a view to enabling them to disseminate information on the availability of DHPs to their members, clients or customers. The Council will on request make such information available in large print, Braille, or audio format or in languages other than English.

NORTHUMBERLAND

Northumberland County Council

**LOCAL WELFARE ASSISTANCE
POLICY**

**NORTHUMBERLAND EMERGENCY
TRANSITION SUPPORT (NETs)**

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1. Introduction

- 1.1 The Welfare Reform Act 2012 abolished the discretionary elements of the Social Fund with funding transferred to local councils for provision of localised welfare support schemes.
- 1.2 The discretionary elements of the current DWP Social Fund scheme consist of loans for the purchase of items or living expenses to help meet expenses that have arisen as a consequence of an emergency or a disaster and must also be the only way of preventing serious damage or serious risk to the health or safety of a person or their family.
- 1.3 There is no requirement of the council to set up a scheme in a particular way although encouragement is given to working in partnership with the local Third Sector looking at a range of in-kind and voluntary support with links to advice and advocacy exploring a full range of delivery models.
- 1.4 The Council responded to this challenge by engaging with the voluntary sector to commission a local welfare support scheme has been designed by Northumberland County Council in conjunction with NETs (a partnership formed by three organisations – DAWN (Advice) Ltd, VoiCes Northumberland and Five Lamps).

2. Strategic Aim of the Scheme

The strategic aim of a local welfare assistance scheme in Northumberland is;

‘To make an active contribution to breaking the cycles of poverty, deprivation, unemployment, health inequalities and poor educational achievement in communities across Northumberland’

3. Vision

- 3.1 The vision is for a local welfare assistance scheme that goes beyond being a process for allocating money to an approach that supports those in need to address short term needs but also looks to tackle the underlying problems through an asset based approach that connects with wider support networks and services that will help individuals and families to develop their own capabilities to manage better in the long term.
- 3.2 This policy has been designed to:
 - Help alleviate poverty
 - Help those most in need
 - Encourage and sustain those in low paid employment
 - Prevent homelessness
 - Help those who help themselves
 - Support elderly and vulnerable people in the community
 - Help those who help themselves

- Help those fleeing domestic abuse
- Assist young people leaving care
- Support those chronically or terminally ill or those with learning/sensory disabilities or mental health disabilities
- Keep families together

4. **Aims and Objectives of the Scheme**

4.1 The main aims and objectives of the scheme are:

- To provide help to meet applicants' immediate short-term needs for goods and services that arise because of a disaster or unforeseen circumstance.
- To provide help to applicants' to remain in the community or be resettled into the community.

4.2 There are two main elements to the scheme;

- **Emergency Support** is to prevent an immediate deterioration to an applicant's health by providing short-term access to food, gas and electricity supply and limited supplies of clothing and baby consumables, such as nappies and milk.
- **Transition Support** is to help applicants through periods of transition, for example, to remain in the community or move back into the community after a period in supported or unsettled accommodation. It does this by providing access to a range of standard items such as beds, bedding, furniture and white goods.

5. **Eligibility**

5.1 The funds available for support are limited, and therefore very specific eligibility criteria have been created in order to support those most in need.

- The applicant must be aged 16 years or over and be a resident of Northumberland, or in exceptional circumstances be in the process of moving into the county to flee domestic abuse, hate crime, forced marriage or honour based abuse.
- There is usually a limit of 2 support awards per applicant, per financial year (in exceptional circumstances additional applications may be considered at the discretion of NETs).

5.2 Even if the applicant qualifies to make an application there is no guarantee that any support will be provided, although advisers will provide names of other services that may be able to offer support depending on the applicant's own personal circumstances.

6. **Emergency Support Qualifying Criteria and Awards**

Exceptional events

- An immediate need for items or services has arisen following an exceptional event or unforeseen circumstances involving the destruction or

loss of property or possessions or significant change to circumstances. In other situations unforeseen changes in circumstance (for example hospitalisation / bereavement) might result in an immediate need for goods or services. In assessing these circumstances NETs will consider:

- The nature of the need: was this unforeseen, could the applicant have reasonably been expected to make provision?
- The likely impact of the need on the health and well-being of the applicant / household.
- Applicants must meet all other NETs criteria to benefit from an award.

6.1 Health needs

- As a direct result of the inability to afford the goods or services requested either the health of the applicant or a member of their household will immediately deteriorate.
- The applicant would usually also have to meet at least one of the following criteria:
 - Have a serious physical health problem, which they are receiving treatment for
 - Have a dependent child who normally lives with them and their health would be at immediate risk
 - Are homeless, or at risk of homelessness
 - Have a substance or alcohol misuse problem that they are receiving treatment for
 - Are on probation or receiving support relating to their offending history
 - Are affected by, or at risk of domestic abuse, hate crime, honour based abuse or forced marriage
 - Have a learning disability
 - Have a physical or sensory impairment
 - Have a mental health problem, that they are receiving treatment for
 - Are aged 50 or over with support needs
 - Are 24 weeks or more pregnant, or, referred by a medical practitioner confirming a pregnancy related condition

In exceptional cases where an imminent deterioration to an applicant's health is expected then there is discretion to provide goods or services where the applicant does not meet the additional criteria listed above.

6.2 Assessment for Emergency Support

- There will then be two stages to the assessment of an Emergency Support application:
 - Assessment of Need
 - Financial Assessment

6.3 Assessment of Need

- An assessment of need will be carried out to ascertain whether as a direct result of an inability to afford the goods or services requested either the health of the applicant or a member of their household will immediately deteriorate. In addition the applicant or a member of their household who lives with them should also meet at least one of the qualifying criteria.
- Also, in exceptional circumstances where an immediate need for items or services has arisen following occurrence of an exceptional event or unforeseen circumstance; e.g. sudden misfortune involving loss of property or possessions.
- Items provided may include:
 - Food including baby milk and nappies
 - Emergency pre-payment for heating, lighting, solid fuel or reconnection charges
 - Travel expenses to hospital, residential care, emergency accommodation and funerals.
- Methods of support may include (this list is not exhaustive);
 - Internet shopping
 - Supermarket vouchers
 - Pre-payment cards
 - Direct payment to utilities
 - Payment to travel operators (e.g. bus, train and taxi companies)
 - Cash transfer in exceptional cases only
 - Vouchers for food-banks

6.4 Financial assessment

- A financial assessment will be carried in order to establish whether the applicant has immediate access to any other form of financial assistance or is able to access other funding or support.
- Whether eligible or not advisers will carry out a holistic assessment of the clients' circumstances and where possible, will look to signpost clients to local or national organisations who might be able to provide help or support.

6.5 Emergency Support Awards

- Emergency Support awards are to cover immediate short-term needs only and an award may be for a specific item or a service to meet immediate living expenses for a short period, usually up to 7 days. In some cases there is discretion to provide an award for a longer period of time, depending on circumstances, where the presenting emergency can be expected to last for longer than 7 days (usually extending up to an extra 7 days).

- Consideration will be given, however, to any circumstance other than the above where it is clear serious harm or risk is present to the applicant or their household if goods or services are not awarded.
- Emergency Support is intended to help the applicant over short-term requirements and may not solve a crisis altogether.
- Emergency support will be in the form of a voucher for goods and services. A cash award will only be made in exceptional circumstances.
- Decisions on whether to award will be made within 2 hours. If the decision is made before 1pm, then the support will be provided the same day. If the decision is made after 1pm, every effort will be made to ensure the support is provided on the same day, although there may be occasions where support will be delivered on the next working day.

7. Transition Support Eligibility Criteria and Awards

Settlement

- 7.1 Applicant requires support to re/settle into community life within Northumberland:
- Move back into the community after a stay in supported or temporary accommodation or following an unsettled way of life as part of a planned resettlement programme
 - Move out of inappropriate accommodation
 - Stay in your home and prevent a move into residential care or hospital
 - Prevent a serious deterioration of health within the home
 - Ease exceptional pressures for an applicant and their family

Health Needs

- 7.2 As a direct result of the inability to afford the goods or services, the applicants health or the health of a member of the household will immediately deteriorate
- 7.3 Applicants must also meet at least one of the following criteria:
- Have a dependent child who normally lives with them and their health would be at immediate risk
 - Are homeless, or at risk of homelessness
 - Have a substance or alcohol misuse problem that they are receiving treatment for
 - Are on probation or receiving support relating to their offending history
 - Are affected by, or at risk of domestic abuse, hate crime, honour based abuse or forced marriage
 - Have a learning disability
 - Have a physical or sensory impairment
 - Have a mental health problem, that they are receiving treatment for
 - Are aged 50 or over with support needs

- Are 24 weeks or more pregnant, or, referred by a medical practitioner confirming a pregnancy related condition

7.4 In addition, the applicant must also be in receipt of one of the following benefits:

- Income Support
- Income Based Job Seekers Allowance
- Income Related Employment Support Allowance
- Any type of Pension Credit
- Universal Credit
- Housing Benefit
- Council Tax Support

and would usually be expected to have applied for a budgeting loan or advance from the DWP and been declined before their application will be considered. (In some exceptional cases NETs has discretion to give an award where the applicant has not applied to DWP for a budgeting loan or an advance. This would usually be done in conjunction with a Trusted Partner.)

Note: Claimants subject to a DWP ‘sanction’ are not necessarily excluded from applying. However, eligibility for support will depend on the applicant’s circumstances.

7.5 Consent must be given to the council to consult with other agencies for verification of circumstances. Examples may include:

- Social worker
- Fire service
- Police
- VCS prevention and support organisations
- NHS

7.6 Transition Support may cover the following (this list is not exhaustive):

- Beds/Cots (including a cot mattress)
- Bedding
- Chairs/sofas
- Tables
- White goods
- Cooking utensils and equipment
- Towels
- Floor coverings
- Curtains
- Storage or removal costs
- In very particular and limited circumstances funding to secure accommodation may be considered (see section 4.2).

Transition Support Awards

- 7.7 The value of Transition Support will be discretionary in relation to needs presented. A full income and expenditure calculation will be done to determine if applicant can meet all or part of the need.
- 7.8 Awards will be in the form of a grant, part grant/part loan or loan. Awards will be for goods or services. A cash award will only be made in exceptional circumstances.
- 7.9 The above thresholds are indicative and each case will be assessed on the individual's financial position at the time of application and the following guidelines apply. As a guide:
- There is a maximum loan amount of £500 per application. Any award value over £500 will be a grant.
 - Loans over £250 to £500 will be repaid over a 52 week period.
 - Loan under £250 will be repaid over a 26 weeks period (up to 52 weeks depending on affordability).
 - A customer will not be able to exceed a total loan value of £800 over multiple applications.
- 7.10 A decision will be made within 5 working days. If successful, awards will be provided within 2 working days of the date the decision was made.

8. Exclusions

- The following will be excluded from awards under the local welfare assistance scheme:
 - People with savings or investments.
 - Work/ educational/ training expenses.
 - School – uniform; sports equipment; travel; meals.
 - Court expenses.
 - Removal or storage charges following a Compulsory Purchase Order, a redevelopment or closing order, a compulsory exchange of tenancies, or under a housing authority's statutory duty to the homeless.
 - Domestic assistance and respite care.
 - Medical services.
 - Debt to Government/ Local Authority.
 - Telephone – purchase; installation; rental; call charges.
 - Holidays.
 - Those under 16 years of age.
 - TV/Radio – licence; aerial; rental charges.
 - Car – Garaging; parking; purchase; running costs.
 - Housing costs.
 - Council Tax or Council Tax arrears.

- Care home residents and hospital in-patients, unless the need is for a person who will be discharged as part of a planned resettlement programme
- Persons who are members of and fully maintained by a religious order.
- People in full-time education unless they are entitled to a qualifying benefit.
- Prisoners who are in prison or released on temporary licence.
- Foreign nationals with limited immigration status;
- Foreign nationals with no recourse to public funds;
- United Kingdom nationals who are not habitually resident in the United Kingdom.
- A need which occurs outside of Northumberland.
- Rent in advance.
- Notes to exclusions:
 - The exclusions above reflect the exclusions from the current scheme and where there are alternative funding sources within other publicly funded programmes.
 - In the case of prisoners about to be released there would be access to a discharge grant within the individual resettlement plan, and liaison with HMP will take place. In some cases an application for Transition Support may be made in advance where the applicant is due to move into the community, and is expected to be eligible to receive a qualifying benefit, but has no eligibility to other forms of support (such as Discretionary Housing Payment).
 - With regard to foreign nationals with limited immigration status etc. they are ineligible/excluded on the grounds of their non-entitlement to current benefits.
 - A number of exclusions above may be eligible for support from DWP Social Fund 'Budgeting Loans' accessed directly from DWP and entirely separate from the Emergency Support and Transition Support described above.

9. Decision Making and Disputes

- Once a decision on an application has been made the applicant and/or representative will be notified in writing.
- All decisions made on local welfare assistance applications will be final and there will be no right of appeal or review.

10. Monitoring Arrangements

- The Council will monitor the awards that are made through comprehensive regular information supplied by NETs to the Council.
- In all instances where NETs has discretion to give an award these cases will closely be monitored and clearly reported (numbers of individuals or households, amount of award given, the wider circumstances and reasons

for giving the award). This will allow the Council to ensure fairness and consistency and to monitor cost levels.

11. Access to the Service

- The service can be accessed via a free phone telephone number at the following times (with the exception of bank holidays):
Monday to Thursday – 8:30am to 17:00pm
Friday – 8:30am to 16:30pm
- An out of hours voicemail service is available including directing callers to other potential avenues of support.

12. Communications/Publicity

- Communication and publicity of the service will be in line with an agreed communication programme.

13. Counter Fraud

- Northumberland County Council is committed to the fight against fraud in all its forms. Any applicant who attempts to, or, fraudulently claims an local welfare assistance award by falsely declaring their circumstances, providing false statements or evidence in support of their application may have committed an offence under the Theft Act 2006.
- Where it is alleged, or suspected that such a fraud has been committed the matter will be referred for investigation. If an offence is found to have occurred, action will be taken including if appropriate criminal proceedings

14. Review of the Policy

- This policy will be reviewed as and when required and at least on an annual basis and will take into consideration views of applicants, council staff, Members, specialist referral organisations, other referral organisations and other voluntary sector organisations with an interest in the Welfare Assistance Scheme.

NORTHUMBERLAND

Northumberland County Council

Revenues and Benefits Service

Rate Relief Policy

Introduction

1. This policy applies to National, Non-Domestic Rates (Business Rates) and provides the framework under which applications for rate relief will be considered.
2. Rate Relief can be either mandatory, discretionary or both and is granted in accordance with the Local Government and Rating Act 1997 and the Local Government Finance Acts 1988 and 2012 (as amended).
3. The policy specifies the factors that will be considered when deciding if an award can be made. Each case will be treated strictly on its merits and all customers will be treated equally and fairly.

Policy Aims

5. The aim of this policy is to ensure consistent and transparent decision making in relation to the discretionary elements of Rate Relief. The policy is intended to provide evidence that the interests of the council tax payer in granting rate relief are well served.
6. Awards should be consistent with wider Council and community objectives and provide greatest support to those organisations with closest alignment with those objectives.
7. This policy applies agreed criteria through a combination of some set awards for certain categories of organisation and a scoring matrix to determine the level of award for others.

Policy

8. The policy relates to awards concerning:
 - Rural Rate Relief
 - Charities and Not for Profit Organisations
 - Hardship Relief
 - Section 44A (relief on the grounds of part occupation)
 - New Build Empty Property Relief
 - Supporting Small Business Relief
 - Pub relief
 - Business Rates Revaluation Relief Scheme

Overview – Discretionary Rate Relief

9. The Council is empowered to offer a range of discretionary reliefs against national, non-domestic (business) rates. The cost of granting relief is borne both by Central Government and the Council and is determined by the type of relief as follows:

Relief Type	Cost to Council	Cost to Govt.
Rural	50%	50%
Charities – 20% top up to mandatory relief	50%	50%
Not for profit organisations and sports clubs	50%	50%
Hardship	50%	50%

Section 44A Partly Occupied Property	50%	50%
New Build Empty Property	0%	100%
Reoccupation Relief	0%	100%
Supporting Small Business Relief	0%	100%
Pub relief	0%	100%
Business Rates Revaluation Relief Scheme	0%	100% up to the funding limit

Where relief is granted under Section 47 of the 1988 Act (Discretionary Relief) to organisations that are situated in an area designated as an Enterprise Zone 100% of the cost of relief will be funded by the Government.

10. The legislation that provides these reliefs allows the Council broad opportunity to exercise its discretion in how much to grant and under what circumstances. This discretion is welcomed but presents its own problems in that ratepayers and the general public need to be assured that decisions are taken equitably and openly and that Council money is directed appropriately.
11. To be effective the policy should ensure the greatest community gain from the finite funds the Council has available. The criteria should enable the Council to:
 - direct funds in accordance with the Council and community priorities;
 - allow transparent and consistent decision making;
 - assist businesses/organisations by making clear the criteria that they will be judged against, allowing them to adjust their business or organisational objectives to fit with the aims of the council, should they so wish; and
 - provide some protection against dispute
12. The criteria should be reviewed at such time that there is any substantial change in direction for the Council's Corporate Strategy.
13. In each case the applicant ratepayer will be expected to provide financial and other details in support of their application without which the application will be refused.

Rural Rate Relief

14. The Local Government and Rating Act 1997 (as amended) provides for relief to qualifying rural business properties. The relief is provided under two broad categories:
 - **mandatory relief** - 50% for qualifying rural businesses – sole general store, post office, petrol filling station, public house or any food shop
 - **discretionary relief** – up to 100% for other rural business or as a top up to mandatory relief.

Note: From 1 April 2017 mandatory rural rate relief will be doubled to 100%. The Government intends to change the relevant primary legislation but expects Councils to use discretionary powers to increase relief to 100% from 1 April 2017.
15. The legislation provides the basic tests for the discretionary relief, though it falls to individual local authorities to establish more detailed awarding criteria

should they wish to.

16. The legislation currently provides for the discretionary relief to be granted where:
- The property falls within an identified rural area. To define this area the Council is required to establish and maintain a Rural Settlement List;
 - For applications of relief as a top up to mandatory the rateable value of the post office, general store and food store must be £8,500 or less. For the Public House and Petrol Filling Station the rateable value must be £12,500 or less;
 - For any other business the rateable value is not more than the specified threshold - currently £16,500 for discretionary relief only applications;
 - The property is not a qualifying general store, post office, petrol filling station, public house etc (these qualify for mandatory relief and can apply for a discretionary top-up);
 - The property benefits the local community; and
 - It is reasonable to award relief having reference to the council tax payers that part-fund the scheme.
17. Whilst many of these criteria are easily tested the degree of community benefit is subjective. Without judging criteria any decisions may be viewed as arbitrary and become subject to dispute. By specifying the criteria, the Council can direct financial support in a way that meets the objectives of the Corporate Strategy and provides some measure of community benefit and reassurance that the interests of the council tax payer are met.
18. The criteria will enable decisions to be based on the relative worth of a small range of key community benefits.
19. The key criteria, based on community benefits and linking to the Council's priorities and objectives, are:

Community Benefit	Reason for including	Corporate Strategy
Scarcity of service/business provision	Recognise limitations of access to sparse local services	Grow Northumberland's economy
Employment	Providing employment opportunities	Grow Northumberland's economy
Additional community services	Business extends beyond its core activity to support communities	Grow Northumberland's economy
Business aimed at serving local community – within County and up to 5 miles beyond boundary	Helps maintain viability of communities and assists community cohesion whilst recognising that some communities extend beyond the County boundary	Grow Northumberland's economy
Business aimed at tourism and culture	Links to tourism led regeneration and supporting cultural heritage	Grow Northumberland's economy
Provides visitor accommodation	Encourages provision of overnight visitor accommodation and supports tourism led regeneration	Grow Northumberland's economy

Community Benefit	Reason for including	Corporate Strategy
Supports healthy/active lifestyles	Encourage healthy activity either by local people or visitors	Promote Health and well being
Provides services to other local business or promotes local produce/products	Supports other local business – strengthens local economy	Grow Northumberland's economy
Provides essential basic community need	Support basic needs of settlement - nursery, dentist, newsagent, hairdresser, repairing garage	Support and enable our residents, families and communities

20. Discretionary relief up to a maximum of 100% of the 50% rates liability will be awarded where the ratepayer is in receipt of mandatory rural relief. Any other rural business not in receipt of rural mandatory relief will be considered for relief up to a maximum of 50% of the rates liability.
21. The award levels criteria are shown at the end of this report together with the award levels in appendices 1 and 2.

Charities and Not For Profit Organisations

22. The Local Government Finance Act 1988 (as amended) provides for relief to charities under Section 43 and not for profit organisations under Section 47. The relief is provided under two broad categories:
 - **mandatory relief** - 80% for qualifying charitable organisations and community amateur sports clubs
 - **discretionary relief** – up to 100% for not for profit organisations including a top up to mandatory relief. To be eligible for consideration the ratepayer must be a non profit making body and the property used for charitable, philanthropic or religious purposes, or concerned with education, social welfare, science, literature or fine arts, or used wholly or mainly for recreation by a not for profit club or society.
23. The legislation provides basic qualifying criteria. The Council is free to determine the basis for any award itself.

Criteria for Charities and Not For Profit Organisations

24. The criteria shown below and expanded on in annex 1 and 2 are to be applied to all applications that are not automatic awards (see paragraph 27 to 32).

General criteria

25. The following criteria are to be used to determine applications. The criteria are based on establishing community value of the organisation and demonstrating consistency with Corporate Strategy priorities. The criteria support the following Council delivery priorities: Respect and Enhance our Environment; Grow Northumberland's Economy; Empower residents, families and communities; and Promote Community Health and well being.
26. Applications are considered by scoring against the following criteria. Appendices 1 and 2 show the weighted scoring and award levels based on that scoring.

Community Benefit	Reason for including
Majority of users/membership from within County or surrounding area (5 miles of boundary)	Target support for local communities but recognise that some communities extend beyond the County boundary
Openness of use/membership	Whilst some limitations may be legitimate, through sporting ability perhaps, broad access should be provided
Encouraging users/membership from particular groups	Provide directed support to the disadvantaged or those requiring greater assistance to access opportunities
Reasonable membership fees	Fees not at a restrictive level
Facilities used by the community/other organisations	Rate relief would provide wider benefits
Affiliation to local or national representative bodies	Demonstrates the standing of the organisation
Education, training, coaching provided	Encourages personal development and increased employment/health prospects
The organisation attracts grant aid or raises income through fund raising	Be consistent and complementary in support of organisation
The service supports or assists in the provision of a service to help the Council to achieve its objectives?	Meets legitimate community need and frees the resources of other organisations. This may be where the need is new and has been identified as a community priority.

Automatic Awards

27. The Council has identified certain types of organisation that make a significant contribution to the County and its residents. In addition to the mandatory relief to which they are entitled and in recognition of the contribution that these organisations make, a 20% top-up of discretionary rate relief will be awarded in all cases. In order to ease the administration of these types of applications the qualifying criteria will be accepted as being met unless the following apply:

- a. The majority of users that benefit are not Northumberland residents
- b. There is a restricted access to the service or facility
- c. The fees/costs or membership are excessive or restricted.

In such cases a reduction in relief of 5% will be made for each element.

The organisations that will receive automatic relief are:

- Village Halls / Community Centres
- Scouts / Guides / Youth Clubs

These organisations will be identified from their applications and supporting information.

28. Village Halls / Community Centres

Village Halls and Community Centres are an important asset within local communities and especially to the rural communities of Northumberland. Supporting these organisations, supports the Council's Corporate Strategy in promoting sustainable communities.

29. Scout/Guide/Youth Groups

These types of organisations provide a valuable framework of education and activities in order to engage the young people of the County to participate in positive activities, which develop their social skills, interests and talents. This supports the Councils objectives.

31. All other applications for discretionary relief will be scored in accordance with the Councils rate relief criteria in annex 1 and 2.

32. Certain organisations or types of property may meet the essential criteria in order to be able to apply for relief, however, they either do not support the objectives of the Council or it is not in the interest of council tax payers to grant the relief. Applications from the following organisations will, therefore, not be supported in an application to receive top up discretionary relief:

- Schools, Learning Partnerships, Academies or similar. These organisations are centrally funded through the direct schools grant (these organisations will still be eligible to receive 80% mandatory relief).
- Community Asset Transfer arrangements after 1/4/12 (these organisations will still be eligible to receive 80% mandatory relief). This refers to the transfer of a service or a function that was previously provided by the Council and transferred to a charitable organisation. The Chief Executive shall have the power to waive this decision, in conjunction with the Executive Member for Corporate Resources, where the transfer under the Community Asset Transfer arrangements is seen to positively assist the County Council in achieving its objectives in a more cost-effective way and not to do so could cause unnecessary financial hardship to the community organisation.
- Housing Associations (these organisations will still be eligible to receive 80% mandatory relief). This exclusion applies to administrative offices but does not include applications in respect of community based projects.

Specific situations

33. It is possible for the nature of the organisation to be at conflict with agreed community and Council objectives, for example, equalities and diversity, health inequalities and/or value for money for the local council tax payer. These conflicts require additional criteria to assist decision-making in specific situations.

34. **Existence of a bar** - A significant feature that should be taken into account in determining any relief is the existence of a bar and the significance of that bar against any other activity of the organisation. It could be viewed as inequitable to the council tax payer to support organisations whose dominant activity is the operation of a bar. Such support would not be consistent with promoting the Health & Wellbeing priority objective.

35. The initial test for the ratepayer, when applying for relief, is to establish the dominant objective of the organisation. For example, the dominant purpose may be to run a bar and premises for meeting purposes, such as a club or

institute. Or the operation of a sports club with a bar may be ancillary in purpose to the furtherance of sporting activity.

36. No relief will be granted where the dominant objective of the organisation is the operation of a bar and associated activity.
37. **Charity shops** - Charity shops qualify for 80% relief and are able to apply for a 20% discretionary top up. Charity shops are a feature of most high streets and provide much needed opportunity for income generation for charitable organisations both of a national and local nature and provide a resource for those on low incomes.
38. Charity shops are increasingly competing with the high street at large and an increase in their number may affect the viability of the high street.
39. In accordance with this policy the 20% top up is not awarded for charity shops, with the exception of those shops that are occupied by 'local' charitable organisations in which case the 20% top up is awarded. The following definition of 'local' was agreed by the Executive:

“a charity established for purposes which are directed wholly or mainly to the benefit of residents and users in Northumberland (whether stated in the trusts of the charity or implicit in its purposes)”.
40. **Interest groups** - The central premise of rate relief is the value that is achieved for the council tax payer in making such an award. This premise infers local benefit at local cost.
41. Demonstrating local value can be a challenge where the organisation is based locally but has wider interests; regionally or nationally perhaps. Whilst there is value in having the organisation within the County it may be seen as inequitable for the local council tax payer to bear the cost.
42. These organisations can be seen as being the following:
 - **Administrative base** – degree of local benefit will depend on geographic area of interest and will range from substantial to minimal benefit. These could be a local trust who seeks to improve the local quality of life down to purely administrative offices for a national organisation.
 - **Advocacy organisations** – these groups provide a “voice” on issues affecting a broad range of people across the area in which they operate. They may not provide any specific or direct benefit to the people of Northumberland – their presence in the area is coincidental to their objectives and as such are less supportable in terms of rate relief and the costs that have to be borne by local people
 - **Support organisations** – these groups may be focused on specific issues, disability or health conditions across a wide geographic area but they provide tangible and direct benefits to local people. Their position within the County provides local people with greater opportunity than if the organisation were elsewhere and financial support is easier to justify.
43. The support provided to these organisations should be based on the degree of contribution to the County and its communities in accordance with the decision matrix at annex 1.
44. Any non profit making organisation applying for discretionary rate relief (excluding a top up to mandatory relief) will be encouraged to apply for Small

Business Rate Relief to reduce the potential cost of discretionary relief to the Council.

45. The legislation requires that a period of one years notice is give to ratepayers where a decision is made to vary the relief awarded where the variation results in the rates liability increasing.

The Localism Act 2011

46. Clause 69 of the Localism Act 2011 amends Section 47 of the Local Government Finance Act 1988 to allow the Council to reduce the business rates of any local ratepayer (not just those that can be eligible for discretionary relief) by way of a local discount. The cost of funding any local discount that is granted will be met by way of a 50/50 split with Central Government.
47. Applications will need to be in writing and consideration will be given on a case by case basis in light of the guidance supplied and the full circumstances of each case.

Hardship Relief

48. Section 49 of the Local Government Finance Act 1988 allows the Council to reduce or remit business rates for any ratepayer that is suffering, or would suffer, hardship without the relief. In granting such relief the Council must consider if it reasonable to do so, and be in the best interests of the council tax payer.
49. Considering applications on the basis of “reasonableness” and “the best interests of the council tax payer” are again subjective and open to suggestions of arbitrary decision making.
50. The guidance provided by the then Office of the Deputy Prime Minister requires that the Council does not adopt a blanket approach and should decide each case on its merits. However, within this guidance, rules can be adopted to direct local decision making.
51. To take account of the wider interests of the council tax payer it is appropriate to base decisions on the contribution of the business to the aims of the Council. In addition the likely sustainability of the business should be considered as it will rarely be in the best interests of the council tax payer to support a failing business in the longer term, particularly if that business makes little contribution to the local economy.
52. Rate relief has a role in regeneration by supporting business within the Business Applied too late, not at all, or with too strict a view of hardship, is likely to have an adverse impact on business survival rates and give poor value for the local tax payer.and Enterprise delivery theme of the Council Plan. If relief is applied at the right time, for the business, the return on investment may be shown in the resurgence of the business and job creation or maintenance.
53. Hardship relief is intended as a short to medium term measure to allow a business to develop, recover or manage a decline.

54. The criteria for determining the community worth of the business should be assessed against evidence of the existence of hardship and the likely future of the business.
55. The following information will be sought to judge hardship and future business prospects:

Factor	Evidence (not exhaustive)	Judgement criteria
Existence of hardship	Accounts or other financial statements	Would the payment of rates cause hardship? Does the business have the funds to pay the rates bill? Is the situation caused by a temporary cash flow problem?
Period of decline/hardship	Accounts or other financial statements	Relief is aimed at the short/medium term
Reasons for current position	Statement on application	Was this caused by the ratepayers own improvidence, through external events, business set-up or some other reason? Does the ratepayer understand the cause of the position?
Actions taken by ratepayer to develop business, halt, reverse or manage decline	Statement on application	Is the ratepayer taking appropriate action? Is there a recovery plan in place? Is there a significant effect on local employment opportunities?
Expected period support required for	Statement on application	Is there an understanding of the future need for support? Is the need for support in the short/mid term only?
Expected outcome	Statement on application	What are the prospects of the business in the short to medium term? Is the business likely to survive if support is given? What are the benefits for the community?
External funding or support available and applied for	Support of Business Link, bank etc	Has the ratepayer sought and applied for help and funding elsewhere? What help and funding has been received?
General trading history	Accounts or other financial statements	Is there a history of adverse trading or of a temporary decline?
Ratepayers history of business success or failure	Statement on application, rating records	Is the ratepayer repeating previous failures?

Factor	Evidence (not exhaustive)	Judgement criteria
Is this the sole business of the ratepayer?	Statement on application, rating records	Are other parts of the ratepayers business interests capable of providing supporting?

56. Awards of relief will be made subject to regular reviews that fit the circumstances of the business.

Partly Occupied Property

57. Section 44A of the Local Government Finance Act 1988 (as amended) provides the Council a discretion to grant relief where it appears that part of a property is unoccupied and will remain so for a 'short time only'.
58. It is not intended that Section 44A be used where part of a property is temporarily not used or its use is temporarily reduced. Instead Section 44A is aimed at situations where there are practical difficulties in occupying or vacating a property in one operation perhaps because new accommodation to which the ratepayer is moving is not fully ready for occupation and it is phased in over a number of weeks or months. Similarly, where a building or buildings become temporarily redundant it might be reasonable to grant relief for the unoccupied part.
59. Where it is proposed that Section 44A discretion is granted an apportionment of the Rateable Value of the occupied and unoccupied parts of the property will be sought from the Valuation Office.
60. Each application will be looked at on its own merit.
61. The cost of funding Section 44A relief will be met by way of a 50/50 split between Central Government and the Council.

New Build Empty Property Relief

62. From 1st October 2013 all new properties completed during the period 1st October 2013 to 30th September 2016 will be exempt from empty property rates for the first 18 months, up to the state aid limits.
63. Each application in writing will be considered on its own merits in line with DCLG guidance and qualifying criteria.
64. The full cost of granting new build empty property relief will be met by the Government.

Newspaper Relief

65. A £1,500 discount is available for office space occupied by local newspapers, up to a maximum of one discount per local newspaper title, and per hereditament and subject to state aid limits.
66. The relief will be available from 1st April 2017 for 2 years and applications are required.
67. The relief is granted under Section 47 of the Local Government Finance Act 1988. The Council will be compensated for the cost of the relief.

Supporting Small Business Relief

68. This relief was introduced in the 2017 Spring Budget to assist ratepayers who were losing some or all of their small business rate relief or rural rate relief as a result of the change to their rateable value at the 2017 revaluation. The relief applies for the 2017 rating list.
69. To support those ratepayers the supporting small business relief will ensure that the increase per year in the amount payable is limited to the greater of:
 - A cash value of £600 per year (£50 per month), or,
 - The matching cap on increases for small properties in the transitional relief scheme
70. The relief is granted under Section 47 of the Local Government Finance Act 1988. The Council will be compensated for the cost of the relief by way of a Section 31 grant from Government.

Relief for Pubs

71. This relief was introduced in the 2017 Spring Budget to assist ratepayers of pubs that have a rateable value of below 100,000. Under the scheme eligible pubs will receive up to a £1,000 discount off their bill for 2017/18.
72. The relief is granted under Section 47 of the Local Government Finance Act 1988. The Council will be compensated for the cost of the relief by way of a Section 31 grant from Government.
73. The Autumn Budget 2017 extended the £1,000 discount to the 2018/19 financial year as well.

Business Rates Revaluation Relief Scheme

74. In the Spring Budget on 8 March 2017 the Government announced the establishment of a £300 million discretionary fund over four years from 2017-18 to support those businesses that were facing the steepest increases in their business rates bills as a result of the 2017 revaluation.

75. The Government's intention is that each Council will be given a share of the funding to provide their own support to their local businesses by developing their own discretionary relief scheme to deliver targeted support to business ratepayers.

76. The level of funding for Northumberland County Council was confirmed at:

	£000
2017-18	963
2018-19	468
2019-20	193
2020-21	28

77. The Government expects the Council to deliver this through the use of discretionary relief powers under Section 47 of the Local Government Finance Act 1988.

78. A copy of the scheme that was approved at County Council on 1 November 2017 is attached at Annex 3.

Rate Relief Decisions and Appeals

79. Rate relief decisions are delegated to the Business Rates Team, Assistant Revenues Manager and Revenues Manager. Where the cost to the Council of granting relief is between £50,000 and £100,000 decisions are delegated to the Revenues, Benefits and Customer Services Manager and Director of Finance. Costs in excess of £100,000 are delegated to the Chief Executive.

80. Requests for a review of a decision will be delegated to the Director of Finance and Revenues, Benefits and Customer Services Manager unless the original decision has been made by those officers whereby the Chief Executive will undertake the review. If the review relates to a case determined by the Chief Executive the relevant Portfolio Holder will carry out the review.

81. Notice will be served on the ratepayer at the time of the award decision limiting discretionary awards to 24 months. The duration of hardship relief awards are made in accordance with the individual circumstances of the application. Relief granted under the new build empty property relief scheme will last for a maximum of 18 months.

82. Where the Government announce a new business rates scheme after this policy has been annually reviewed the Chief Executive will have delegated powers in order to implement the scheme in line with the required legislation and timetable. This policy will then be updated at the next annual review.

Annex 1

Discretionary Rate Relief - charities and not for profit organisations

Specific Interest Organisations

					Score
1	What is the organisations service area?	National	Regional	Within Northumberland	
		-10	0	20	<input type="text"/>
2	Is the organisation and / or its facilities open to or for the benefit of, all members of the community?	No	Limited Restriction	Yes	
		0	5	10	<input type="text"/>
3	Are the organisation aims and objectives specifically targeted at helping disadvantaged and vulnerable groups?	No	Yes		
		0	10		<input type="text"/>
4	Does the organisation provide education, training or coaching for its users / members?	None	Limited	Substantial	
		0	5	10	<input type="text"/>
5	Does the service support or assist in the provision of a service to help the Council achieve its objectives?	No	Limited	Substantial	
		0	10	20	<input type="text"/>
Total					<input type="text"/>
					<input type="text"/>

Criteria Scoring

Charitable Organisations				
Not Supported	5%	10%	15%	20%
0 - 20	25	30	35	40

Non-Profit Making Organisations				
Not Supported	25%	50%	75%	100%
0 - 20	25	30	35	40

Annex 2

Discretionary Rate Relief - charities and not for profit organisations

	<30%	30-50%	50-70%	70%	
1 Do the majority of members / users come from the County or surrounding area? (5 mile outside boundary)	-10	3	6	10	<input type="text"/>
2 Is the organisation open to all members of the community?	Restricted	Limited Restriction	Open to all		<input type="text"/>
3 Does the organisation encourage membership / users from a particular group? (Ethnic Minorities, Disabled, Young Persons, OAP's, Working Parents)	0	5	10		<input type="text"/>
4 Are the fees/costs reasonable for the service or facilities provided, which support accessibility and encourage participation / use?	No	Some	Actively		<input type="text"/>
5 Is the building used by the organisation available to the community and other organisations?	0	5	10		<input type="text"/>
6 Is the organisation affiliated to a local or national representative body?	No	Yes			<input type="text"/>
7 Does the organisation provide education, training or coaching for its users/members?	0	10			<input type="text"/>
8 Does the organisation attract grant aiding or generate income through fund raising activities or self help?	No	Some Use	Substantial		<input type="text"/>
9 Does the service support or assist in the provision of a service to help the Council to achieve its objectives?	0	3	10		<input type="text"/>
	0	10			<input type="text"/>
	No	Yes			<input type="text"/>
	0	10			<input type="text"/>
	0	20			<input type="text"/>
				Total	<input type="text"/>

Criteria Scoring and Relief Percentages for Non-Profit Making Organisations

Not Supported				Supported									
Nil				25%			50%			75%			100%
5	10	15	20	25	30	35	40	45	50	55	60	65	66+

Criteria Scoring and Relief Percentages for Charitable Organisations - 20% top up

Not Supported				Supported									
Nil				5%			10%			15%			20%
5	10	15	20	25	30	35	40	45	50	55	60	65	66+

Annex 3

NORTHUMBERLAND

Northumberland County Council

Revenues and Benefits Service

**Business Rates Revaluation Relief
Scheme**

Introduction

1. In the Spring Budget on 8 March 2017 the Government announced the establishment of a £300 million discretionary fund over four years from 2017-18 to support those businesses that were facing the steepest increases in their business rates bills as a result of the 2017 revaluation.
2. The Government's intention is that each Council will be given a share of the funding to provide their own support to their local businesses by developing their own discretionary relief scheme to deliver targeted support to business ratepayers.
3. The level of funding for Northumberland County Council was confirmed at:

	£000
2017-18	963
2018-19	468
2019-20	193
2020-21	28

4. The Government expects the Council to deliver this through the use of discretionary relief powers under Section 47 of the Local Government Finance Act 1988.
5. The Council will be compensated through a Section 31 grant for the cost to the Council of granting the relief up to the levels set out in paragraph 3 above.
6. There is a requirement to consult with major preceptors before a scheme is adopted.

Scheme Aims

7. The aim of this scheme is to ensure that support is provided to those businesses that are facing the steepest increases in their business rates bills as a result of the 2017 revaluation.
8. Support will be targeted at small and medium sized businesses adversely affected by the 2017 revaluation.
9. The Council is committed to ensuring the discretionary fund will be maximised in each financial year but not exceeded.
10. To support ratepayers facing an increase in business rates by limiting the impact of the revaluation.
11. To support businesses in a fair and proportionate manner in line with Government's intentions.
12. Relief will be applied to empty property as this will be an incentive to new businesses to take on empty properties.

Scheme Rules & Eligibility Criteria

13. A property qualifies if:
 - There was an entry in the Valuation List for the property on 31 March 2017 and 1 April 2017.
 - There has been an increase in the rate liability as a result of the 2017 revaluation exceeding £300.
 - The Rateable Value of the property is less than 200,000 as at 1 April 2017.
14. Revaluation Relief will be applied to occupied and empty properties.
15. Revaluation Relief will be applied against the net rates bill after all other reliefs.
16. Eligibility for the relief and the relief itself will be assessed and calculated on a daily basis.
17. New ratepayers of qualifying properties after 1 April 2017 will benefit from the relief and it will be applied pro rata.
18. The amount of relief awarded will reduce and be apportioned where a ratepayer vacates the property during the year.
19. The amount of relief awarded will reduce and be apportioned where a ratepayer qualifies for any other relief during the year.
20. Where the rateable value of the property is reduced by the Valuation Office Agency the relief will be reduced or removed where the scheme rules and eligibility criteria are no longer met.
21. Where the rateable value of a property is increased with an effective date of after 1 April 2017 (by the Valuation Office Agency), the increase in rateable value will not qualify for additional relief under this scheme.
22. Revaluation Relief will be awarded as follows:

2017-18	relief provided to cap the increase in business rates as a result of the 2017 revaluation at £300 for all qualifying businesses*
2018-19	50% of the relief entitlement in Year 1 of the scheme*
2019-20	20% of the relief entitlement in Year 1 of the scheme*
2020-21	3% of the relief entitlement in Year 1 of the scheme*

* subject to annual review

Exclusions

Revaluation Relief will not be granted to the following:

23. Occupied or empty properties where the ratepayer is a multinational or national chain companies (including parent companies). The definition of multinational and national chain companies (including parent companies) is 'any company

who owns a number of properties and/or businesses spread across various locations nationwide or world-wide’.

24. In accordance with Section 47 of the Local Government Finance Act 1988 certain properties are excluded from discretionary business rates relief. These are properties that are occupied in full, or part, by the billing authority or a precepting authority.
25. Properties owned or occupied by ratepayers who receive funding from central government.
26. New properties, newly constituted property and split or merged property.
27. Businesses who receive full Small Business Rates Relief for the property are not included in the scheme as they have no rates liability.
28. Periods of occupation for known rates avoidance schemes.

Awards of Revaluation Relief

29. Relief will be awarded automatically for qualifying properties and there will be no application process. A signed declaration will be required to confirm that state aid limits have not been exceeded (see 32 below).

Notice Periods

30. A termination notice will be served on the ratepayer at the time of the award decision initially limiting the award to 31 March 2019. This is in line with the requirements of the Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059).
31. Termination dates for years 3 and 4 of the scheme will be 31 March 2020 and 31 March 2021 respectively.

State Aid

32. The awarding of discretionary relief under this scheme will be subject to state aid to the European Union State Aid de-minimis limits and therefore a declaration of previous state aid received will be required to be completed.

Appeals

33. Requests for a review of a decision will be delegated to the Section 151 Officer and the Revenues, Benefits and Customer Services Manager.

Review

34. The scheme will be subject to a review as required.

NORTHUMBERLAND

Northumberland County Council

REVENUES AND BENEFIT SERVICE

HOUSING BENEFIT

WAR PENSION AND ARMED FORCES COMPENSATION DISREGARD POLICY

Introduction

1. The Housing Benefit Regulations 2006 make provision for the first £10.00 of income from War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme to be disregarded in any benefit assessment. The cost of this disregard is fully reimbursed to the Council.
2. The Social Security Administration Act 1992 gives the Council discretion to disregard any amount it chooses in addition to the statutory provision. Since 2009/10 the Council has taken advantage of this provision and fully disregarded income claimants receive from the War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Schemes.

Policy Aims

3. The policy aims to:
 - Ensure income from the schemes is treated consistently when assessing entitlement to housing benefit;
 - Ensure that everyone gets fair treatment and equal opportunity;
 - Promote a transparent and simple process that is easily understood; and
 - Provide staff with guidance for making reasonable, fair and consistent decisions.

Policy

4. The Council will fully disregard income from War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme when assessing entitlement to Housing Benefit.