



Councillor Keith Wakefield
Leader of Leeds City Council
Civic Hall
Leeds LS1 1UR

Council Tax Benefit Reform Team

Department for Communities and
Local Government
5/H2 Eland House
Bressenden Place
London
SW1E 5DU

Telephone: (0113) 247 4444

Fax: (0113) 247 4046

Email: keith.wakefield@leeds.gov.uk

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Dear Sir or Madam

Leeds City Council believes that the proposals for localisation of the support scheme to replace Council Tax Benefit will have a disproportionate impact on poorer sections of the City, present a significant financial risk to local authorities and are not deliverable by April 2013.

The proposals will see many workless claimants faced with significant levels of debt and create additional financial pressures for councils that could impact on the delivery of frontline support to workless customers. The rationale for keeping support for Council Tax separate from and not part of Universal Credit is not supported by the Council. We believe that support for Council Tax should form part of Universal Credit and that Universal Credit, which will also include Housing Benefit, should be delivered locally by local councils.

Rationale for reform

The consultation paper sets out the rationale for reform as follows:

- *to give local authorities a greater stake in the economic future of their local area:*
- *provide opportunities for local authorities to reform the system of support for working age claimants;*
- *reinforce local control over Council Tax:*
- *give local authorities a significant degree of control on how a 10% reduction in expenditure is achieved;*
- *give local authorities a financial stake in the provision of support for council tax.*

The Government's intention to cut expenditure in this area by 10%, prescribe a national scheme that protects pensioners from losses and make arrangements that ensure that local schemes support the intention behind Universal Credit for people in work and moving into work, means that there will be little scope for councils to carry out effective reform of the support provided. The impact of this is that costs can only be reduced to match the funding by reducing support to unemployed working age customers by as much as 15-20%. This reduces local control over Council Tax support and this is further reduced by the omission of discounts and exemptions from consideration within a localised scheme of support for Council Tax. Leeds had a gross spend of £64m in Council Tax Benefit in 2010/11 and a

further £52m in discounts and exemptions over the same period. While the £64m in Council Tax Benefit was targeted to people in need, a significant proportion of the £52m awarded in discounts and exemptions would have been paid to people who could afford to pay without the need for support. Leeds City Council proposes that local control over Council Tax support should extend to the scheme of discounts and exemptions.

We also propose that support for Council Tax should form part of Universal Credit and that Universal Credit should be delivered locally by Councils. This would deliver simplification brought about by a single claim for all the main means-tested working age benefits and also deliver local accountability for provision, performance and impact if administered by local councils.

The Government's proposal to move away from the current model of funding for Council Tax support and to move to a fixed grant to fund the local scheme of support, presents significant financial risk to local councils and represents a whole transfer of this risk from Central Government.

The Government's rationale for the scheme suggests that the proposed changes will give councils a greater stake in the economic future of their local area.

- Councils like Leeds already have a strong commitment to tackling worklessness backed up by significant investment, innovative schemes, close partnership working with Jobcentre Plus, LEPs, Enterprise Zones and other development and regeneration activity;
- People moving into work, especially low paid work, may remain entitled to Council Tax support, with the level of support remaining similar to that provided when unemployed in order to support the Government's intention to maintain marginal deduction rates of 65% when taken in conjunction with Universal Credit. Because of this any potential savings to local schemes are likely to be muted; and
- Demography and the ageing population means that there will continue to be growth in the number of pensioners requiring support. Each additional pensioner claim thereby increases spend on local support at a greater rate than any reductions gained from people moving into work.

Principles of the scheme

- *Local Authorities to have a duty to run a scheme of support*
- *For pensioners there should be no change in current levels of awards*
- *Local Authorities should also consider ensuring support for other vulnerable groups;*
- *Local schemes should support work incentives, and in particular avoid disincentives to move into work.*

Leeds City Council believes authorities should have a scheme of support for Council Tax that reflects ability to pay and provides a safety net for people undergoing difficult circumstances. The proposals do not achieve this and the principles underpinning the scheme mean that some of the poorest people will face some of the biggest reductions. An analysis of Leeds caseload shows that:

- 94k claims for Council Tax Benefit were paid in 10/11 at a value of £64m
 - o 35k claims were from pensioners at a value of £25.8m
 - o 15k claims were from people with a disability benefit at a value of £10.5m
 - o 13.5k claims from people in-work at a value of £8m

Protecting these claims and supporting the marginal deduction rates to be applied to Universal Credit for people in work, would leave fewer than 31k cases (33% of claims) and less than £20m of spend to deliver the overall 10% reduction in expenditure. This means that unemployed families in Leeds would be faced with reductions of 15%-20% or more in their Council Tax support. At Band D rates this would mean some of the poorest people paying an extra £240 a year in Council Tax

The proposals to protect pensioners and provide some protection for other people, including people in work and moving into work, would require, in effect, each council to operate multiple schemes. There would be:

- a national scheme for pensioners prescribed by Government and administered by councils;
- an in-work scheme that would work in tandem with Universal Credit to achieve acceptable marginal deduction rates for people in work;
- a local scheme offering protected levels of council tax support for vulnerable groups, most notably disabled claimants but also other groups not subject to the requirement to look for work; and
- a local scheme designed by councils that delivers an overall 10% cut in total expenditure from less than half the overall expenditure.

The administrative and software requirements arising from multiple schemes within councils are likely to be expensive, complex and difficult to deliver and would work against the overall aims of simplification and transparency that underpin Universal Credit.

Establishing local schemes

The consultation paper states that councils will need to design schemes which take account of the funding the LA 'intends to dedicate to the scheme' and also take account of the following:

- *Framework set by central govt (e.g. pensioners)*
- *Local priorities*
- *Forecasts of demand*
- *Assumptions around take-up*
- *Impact on council tax yield, for example, as a result of non-payment*

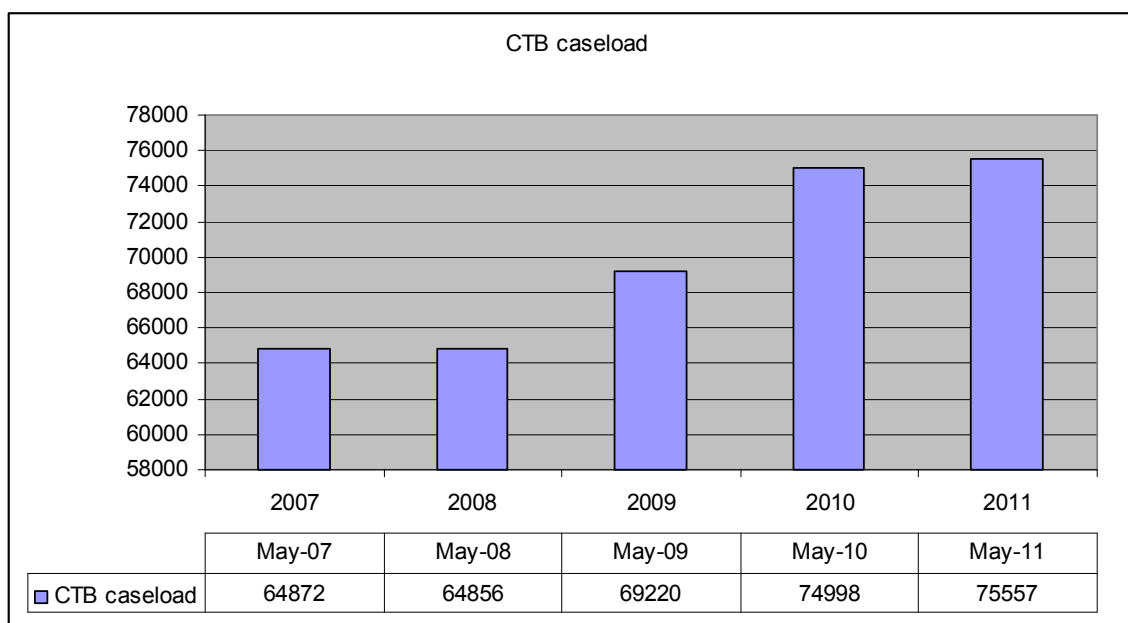
As stated above the ability to reflect local priorities is severely limited by the prescription of a national scheme for pensioners and the expectations around protecting other vulnerable groups and people moving into work. The scope for local priorities can be increased by including discounts and exemptions and allowing local councils to design these to both reflect local priorities and provide an overall scheme of support for council tax that reflects ability to pay.

It will be very difficult to accurately forecast demand for council tax support and councils will have little incentive to increase take-up where this will also increase financial pressures. Forecasts can be made using current and historic data on council tax benefit but there are many factors outside councils' control that significantly increase demand. The last 2 years, for instance, has seen significant increases in benefit claims as a result of the recent recession, including a doubling of Jobseekers Allowance claims in Leeds. There are other factors that make forecasting demand very difficult including the impact of Universal Credit itself. The majority of claims for Universal Credit will be from people in-work, a group that has relatively low levels of Council Tax Benefit take-up. It is likely that links between

Universal Credit and local schemes of support will see increases in the numbers of in-work claimants getting local Council Tax support;

Other factors include the impact of an ageing population and scheme design. Simple schemes that are easy to access and understand will increase demand. A snapshot of the Leeds' Council Tax Benefit caseload over the last 5 years shows the change in position and the difficulty in accurately forecasting demand. The table shows significant increases in caseload between 2008 and 2009 and again between 2009 and 2010. Over-forecasting demand could lead to customers having unnecessarily higher levels of contribution to pay towards their Council Tax; under-forecasting demand would lead to increased financial pressure on the council. The gross spend on Council Tax Benefit increased by £5.2m in 08/09 after allowing for Council Tax increase and by £5m in 09/10 after allowing for Council Tax increases – these increases represent the financial risk the Council would have been exposed to if the proposed scheme had been in operation in 08/9 and 09/10.

The caseload continues to rise in Leeds and at August 2011 had risen by another 1269 cases to 76,844.



Leeds agrees with the proposal that no adjustments to schemes within year should be allowed but does believe that schemes should be able to be adjusted from year to year. We also agree that local schemes should be subject to local consultation but have concerns about the intention to require further consultation on scheme changes. The timescales and processes required to consult would seem to prevent councils reacting to unexpected demand by taking steps to prevent further financial pressures occurring in the next financial year. Consultation in scheme adjustments should be limited to more fundamental redesigns and allow councils to adjust parameters without the need for a formal public consultation exercise.

Joint working

Leeds City Council agrees that there could be merit in operating similar local schemes across regions in order to provide some degree of consistency between neighbouring councils and residents. This includes the ability to collaborate and pool resources in design, consultation and implementation of schemes. However, the ability to do this will depend significantly on the make up of each council's caseload, the scope for achieving 10% reductions in expenditure after the application of the Government framework and

forecast demand within each council. Individual councils are unlikely to adopt a scheme that leads to significant financial pressures. Equally individual councils are unlikely to adopt less generous schemes to support other councils and the principle of consistency – not least because this would increase the amount of Council Tax to be collected from the poorest people in the area.

There may be scope for some councils to collaborate and jointly administer local schemes, particularly where there are shared schemes. However, this scope exists at the moment with the national Council Tax Benefit scheme. For Unitaries and Mets joint administration of local schemes is likely to prove problematic and it is difficult to see how this could be achieved in isolation of the administration of housing benefit and the overall billing, collection and recovery activity in Revenues services. With the pending transition of housing benefit cases to Universal Credit and the proposals to localise Business Rates, it is not deemed appropriate to impose shared and joint working requirements on councils without the development of full business cases that reflect the economies of scale already delivered by large Mets like Leeds.

Funding and managing risk

“Schemes will need to be designed based on a fixed grant allocation. Local authorities will need to consider what additional contingency arrangements should be put in place within their local schemes to take account of unplanned increases in demand or take-up.”

A key consideration is the methodology for establishing the initial grant and we are awaiting the promised technical paper on this. We would support annual refreshes of the funding to councils rather than the option for initial funding levels to remain unchanged for a number of years. An annual refresh of the grant will provide a degree of protection against the financial risk faced by councils through increased and unexpected demand. The notional prospect that councils may gain from a fixed grant by reducing the number of people requiring local support for council tax is unrealistic when set against an ageing population, increased take-up by in-work claimants through links to Universal Credit and uncertain economic performance at a national level.

The annual refresh should also include an uplift in funding to reflect changes to Council Tax levels. This would provide some protection against increased financial pressures and help provide stable schemes for those already faced with reductions in local support.

The proposal to create a safety valve so financial pressures can be shared with major precepting authorities such as the police and fire and rescue services is another area of concern. Although *in extremis*, billing authorities might welcome the opportunity to share the burden with their local police or fire and rescue authorities, we can see no compelling argument for allowing them to do so, any more than, say, allowing them sharing the burden with the NHS. Police and fire authorities have no stake in the Council Tax Benefit regime, and any safety valve would have an element of uncertainty in their funding which is in direct contradiction to the proposals for “guaranteed levels of funding” in the Local Government Resource Review (see Section 2.7, Technical Paper 1 of the Resource Review).

The consultation suggests that billing authorities should put in place local contingency arrangements to cope with fluctuations in demand. We would agree that this would be desirable but are concerned that creating such contingencies will necessarily take resources away from other services. A further consequence is that reductions in Council Tax Benefits to low income groups will make Council Tax itself more difficult to collect. To compensate for this, billing authorities will need to adjust their provisions for bad debts in

their annual calculations of council tax, which will create an additional pressure on council tax levels, and the risk of a spiral effect.

With regard to the proposal to create a national contingency, we have two concerns:

- where the contingency would be drawn from; and
- given that the proposals will transfer most if not all the risk associated with Council Tax Benefit from central to local government, why there would still be a need to maintain a national contingency and what would it be used for.

Timescale for implementation

The timescale for implementation is wholly unrealistic. The paper suggests that the required primary legislation for localised Council Tax support schemes will not be passed until Spring or Summer 2012 and that the necessary regulations will follow on from this. It is possible that the required detail and legal framework will not be on the statute books until autumn or winter 2012 and it is not possible to design, consult, build and implement new schemes of support by April 2013. If the Government intends to pursue the localisation of Council Tax support then at the very least the implementation date for the schemes must be deferred until April 2014.

Summary

Leeds City Council does not support the proposals for local schemes of support for Council Tax which it believes are inherently unfair. The proposals would lead to some of the poorest citizens bearing the brunt of the reductions and believes that more equitable systems of local support could be achieved with the inclusion of council tax discounts and exemptions within a local scheme of support.

The proposals present a significant financial risk to councils at a time when councils are already faced with significant cuts to funding. A key driver for the reform is the need to achieve £500m savings in Council Tax Benefit expenditure and we would urge the Government to look elsewhere for these savings. We would suggest that a national scheme should remain in place and be included within Universal Credit with Universal Credit delivered locally by Councils - this would provide simplification, accessibility, accountability and a focus on outcomes at a locality level. A national scheme would continue to be funded centrally.

If the Government intends to push ahead with localised schemes of support, then the deadline for implementation must be deferred to April 2014 at the least.

Responses to the specific questions asked within the consultation document are attached.

Yours faithfully

A handwritten signature in black ink that reads "Keith Wakefield". The signature is written in a cursive style with a large initial 'K'.

Councillor Keith Wakefield
Leader of the Council

5a: Given the Government's firm commitment to protect pensioners, is maintaining the current system of criteria and allowances the best way to deliver this guarantee of support?

The current system is the best way to protect pensioners from reductions. This will, however, require DWP to maintain and update figures for Applicable Amounts and Premiums. It will also require the current relationship between Council Tax Benefit and Pensions Credit to be retained and will, in effect, see The Pension Service continuing to decide the income levels to be taken into account by councils when awarding financial support towards Council Tax.

5b: What is the best way of balancing the protection of vulnerable groups with the need for local authority flexibility?

There Government's proposals around protection for pensioners and other vulnerable groups, alongside the proposal for councils to meet the costs of the scheme from a fixed grant, limit the scope for local authority flexibility. If Councils limit their spending to the funding available they will have little choice but to apply disproportionate reductions to the group of people who are working age and out-of-work and required to comply with work-related conditionality requirements. Councils would have greater scope for flexibility in designing a scheme of support if the scheme also covered discounts and exemptions.

6a: What, if any, additional data and expertise will local authorities require to forecast demand and take-up?

Trend data relating to Council Tax Benefit take-up over recent years is available to councils. Councils would also need to factor in data, including trend data, from Jobcentre Plus on jobs and worklessness and Pension Service on take-up of national benefits. This aspect will be a challenge for councils:

- overestimating demand may result in less generous schemes being designed leaving councils with larger amounts of council tax to collect from claimants;
- underestimating demand will mean councils needing to fund schemes that are more expensive than anticipated.

6b: What forms of external scrutiny, other than public consultation, might be desirable?

The consultation paper recognises the risks to councils. The use of external agencies to scrutinise schemes is likely to be costly and is unlikely to provide significant assurance around demand forecasts and scheme costs.

6c: Should there be any minimum requirements for consultation, for example, minimum time periods?

The extent and nature of public consultation may vary depending on the level of funding a council wishes to apply to a local scheme. A scheme designed to spend within Government funding levels may require greater consultation with vulnerable groups; a scheme supplemented by Council funding may require much wider consultation on the option of using Council Tax funding to provide greater financial support to help unemployed people meet their council tax liabilities. In either case a minimum timescale should be specified. The requirement to consult on local schemes is a new burden for councils and the costs of consultation would need to be met by Central Government.

6d: Do you agree that councils should be able to change schemes from year to year? What, if any restrictions, should be placed on their freedom to do this?

Yes. Councils need to be able to amend schemes from year to year to respond to demand issues and reflect changing local priorities.

6e: How can the Government ensure that work incentives are supported, and in particular, that low earning households do not face high participation tax rates?

The best way to achieve this is to consider the way that Universal Credit treats people in work and make an allowance that recognises people in receipt of local council tax support. This approach would better support the intention to protect pensioners and allow councils to put in place a common scheme covering customers both in work and out of work.

7a: Should billing authorities have default responsibility for defining and administering the schemes?

Yes.

7b: What safeguards are needed to protect the interests of major precepting authorities in the design of the scheme, on the basis that they will be a key partner in managing financial risk?

We do not agree that precepting authorities should share the risk (see 8a below).

7c: Should local precepting authorities (such as parish councils) be consulted as part of the preparation of the scheme? Should this extend to neighbouring authorities?

There should be no requirement to consult precepting authorities unless it is expected that precepting authorities are to share the financial risks arising from the scheme. There should be no requirement to consult with neighbouring authorities.

7d: Should it be possible for an authority (for example, a single billing authority, county council in a two-tier area) to be responsible for the scheme in an area for which it is not a billing authority?

The regulations should allow this but it should be left to the individual authorities to decide

7e: Are there circumstances where Government should require an authority other than the billing authority to lead on either developing or administering a scheme?

It is difficult to see how this would support the concept of local schemes.

8a: Should billing authorities normally share risks with major precepting authorities?

The proposal that precepting authorities such as the police and fire and rescue should share the financial risks arising from local schemes is contrary to the intention behind the Resource Review which is intended to provide stability of funding for precepting authorities. .

8b: Should other forms of risk sharing (for example, between district councils) be possible?

This is for district councils to address

8c: What administrative changes are required to enable risk sharing to happen?

See 8b

8d: What safeguards do you think are necessary to ensure that risk sharing is used appropriately?

See 8b

9a: In what aspects of administration would it be desirable for a consistent approach to be taken across all schemes?

Consistency will be achieved through Government prescription of schemes of support for pensioners. Councils will have to consider a number of factors when designing local schemes. These include: whether local scheme is a rebate scheme or a discount scheme, how much funding is put into local schemes and what balance needs to be struck between scheme costs and administration costs. These factors will make it difficult to impose consistency across councils.

9b: How should this consistency be achieved? Is it desirable to set this out in Regulations?

Imposing consistency through regulation will further limit scope for local design and may make it more difficult to achieve overall reductions of 10%.

9c: Should local authorities be encouraged to use these approaches (run-ons, advance claims, retaining information stubs) to provide certainty for claimants?

There are clear distinctions between the rules around the *making* of a claim and rules around level of entitlement. Local councils should be able to set rules for level of entitlement that reflects local priorities – awarding run ons when people move into work may help people with the transition into work but will, because of the fixed funding approach, reduce funds available to support others in need. If the Government intends to prescribe a scheme for pensioners that also covers rules about start date of claim, including backdating rules, then it makes sense for these rules to be common across rebate/benefit schemes. If councils choose to operate discount schemes then rules around start dates need to be aligned with current schemes of discounts and exemptions.

9d: Are there any other aspects of administration which could provide greater certainty for claimants?

Greater certainty would be provided if there is consistency around lengths of awards, review periods and the impact of changes in circumstances. With the majority of claimants on local schemes also getting national benefits, it may become very confusing for claimants if there are different requirements around reporting changes and timing of claims and renewal of claims. However, the greater the requirement for consistency and standardisation between local schemes and national schemes, the less scope there is for genuine localisation.

9e: How should local authorities be encouraged to incorporate these features into the design of their schemes?

Given the financial risks faced by local councils, councils need as much scope as possible to be able to fit schemes into available funding. Recognising scheme costs arising from greater consistency across schemes in the funding and distribution models would help to encourage greater consistency and certainty across schemes.

9f: Do you agree that local authorities should continue to be free to offer discretionary support for council tax, beyond the terms of the formal scheme?

The provision to deal with cases of financial hardship already exists but is used rarely if at all within councils. The cost of applying discretion would continue to fall on the council and, given that there

is likely to be a disproportionate reduction in support for people not in protected groups, it is unlikely that councils would extend the use of this discretion to cover groups of people in need of, but not entitled to, full support. Such a use may be seen to be circumventing the design and consultation requirements of local schemes and would bring further financial pressure.

9g: What, if any, circumstances merit transitional protection following changes to local schemes?

Amendments to local schemes will be needed in order to respond to financial pressures or better reflect local priorities. Awarding transitional protection as a result of a scheme change, the costs of which would need to be met from the fixed grant for local schemes, would add another limiting factor and could see other groups getting less in order to meet the costs of transitional protection.

9h: Should arrangements for appeals be integrated with the new arrangements for council tax appeals?

Council tax appeals deal with national legislation. It is difficult to see how this would work for local schemes which will differ from one council to another. It may be necessary to re-establish local appeals arrangements to deal with appeals around local scheme decisions.

9i: What administrative changes could be made to the current system of council tax support for pensioners to improve the way support is delivered (noting that factors determining the calculation of the award will be prescribed by central Government)?

Currently pensioners can claim Council Tax Benefit when claiming Pension Credit from the Pension and Disability Carer's Service and also when claiming Housing Benefit. With pensioner Housing Benefit moving into Pension Credit, with first claims expected to move in October 2014, it is important that automatic links between Pension Credit/Housing Benefit claims and claims for local scheme support are developed and maintained in order to help take-up rates and avoid the need for multiple claims and duplicate information.

Changes to Council Tax rules to allow LAs to identify pensioner liabilities would also assist with increasing take-up rates.

10a: What would be the minimum (core) information necessary to administer a local council tax benefit scheme?

Income details, including details of benefits in payment, will be needed whether councils operate discount schemes or rebate schemes. Councils also need information to identify vulnerable groups, age data to identify pensioners and non-pensioners and data to identify 'in-work' Universal Credit and 'out-of-work' Universal Credit claims if different local scheme rules are applied to in-work claims to avoid issues around marginal deduction rates. Basic information around address, council tax liability and applicable discounts will also be required but this data will be available within councils.

10b: Why would a local authority need any information beyond this "core", and what would that be?

The current rules around Council Tax Benefit are complex and councils may choose to build schemes that are simpler in design. The basic information listed above would be needed even for simple systems. More complex systems and systems that replicate the current rules will need information about households and non-dependents and their income and circumstances. Also, the current pass-porting arrangements to CTB will change and councils may need information about children and family size for claimants of Income Support and Jobseekers Allowance cases and, eventually 'out-of-work' Universal Credit cases in order to assess entitlement to local scheme council tax support – currently receipt of IS, JSA passports a family to 100% CTB entitlement and there is no need to gather data about children and family members other than the claimant.

10c: Other than the Department for Work and Pensions, what possible sources of information are there that local authorities could use to establish claimants' circumstances? Would you prefer to use raw data or data that has been interpreted in some way?

Council Tax liability data is available within councils with benefits and associated data available through DWP systems. HMRC will have data for all earners with the exception of newly self-employed earners. All other data and information would need to come directly from claimants.

Raw data is likely to be needed for rebate schemes; interpreted data may be more appropriate for councils operating discount schemes. The information needed for pensioner claims will depend upon the links developed between local schemes and Pension Credit. Currently the Pension and Disability Carer's Service carry out the means-test for CTB purposes where there is a Pension Credit claim in payment – if this requirement continues under local scheme arrangements then all the necessary data will come from Pension and Disability Carer's Service. For cases where there is no claim for Pension Credit some information will be available from DWP systems but other information may need to be obtained directly from the claimant.

10d: If the information were to be used to place the applicants into categories, how many categories should there be and what would be the defining characteristics of each?

It is not possible to answer this question other than in broad terms. A lot will depend on the type of categorisation: categorisation by income levels, for instance, will only be useful in discount schemes based around income bands. It may be useful to identify employed from unemployed and, within the unemployed category, those subject to work-related conditionality and those who are not. But it's unlikely that this degree of classification on its own would support local scheme assessments.

10e: How would potentially fraudulent claims be investigated if local authorities did not have access to the raw data?

If there is no access to the raw data then potentially fraudulent claims would need to be investigated by the organisation holding the raw data; alternatively, arrangements would need to be established where councils could request and receive the raw data where there was a suspicion of fraud.

A key element of the current approach to identifying fraud and error within Housing Benefit and Council Tax Benefit is the use of data-matching and, in particular, the Housing Benefit Matching Service (HBMS) monthly data match provided by DWP. The onset of Universal Credit will eventually remove the need for DWP to provide the HBMS extract for councils and for councils to provide the Single Housing Benefit Extract that enables DWP to carry out the datamatching. Unless new arrangements are made to support the use of data matching between benefits systems, then less fraud and error will be identified.

10f: What powers would local authorities need in order to be able to investigate suspected fraud in council tax support?

The ability to investigate Council Tax Benefit arises from the Social Security Fraud Act 2001 which makes benefit fraud a criminal offence. It is unclear whether local schemes of support would be benefit schemes and, if so, whether they would be covered by the Fraud Act. If local schemes fall outside the Fraud Act, local councils would need either new powers to prosecute fraud against local schemes or to prosecute under the Theft Act which is more difficult.

10g: In what ways could the Single Fraud Investigation Service support the work of local authorities in investigating fraud?

Local Authority Benefit Fraud Investigators currently investigate Council Tax Benefit fraud along with Housing Benefit fraud. If Local Authority fraud investigators are included within a Single Fraud Investigation Service, as is the intention, then the Single Fraud Investigation Service would need to

take responsibility for investigating local scheme fraud. This would also mean ensuring that local schemes of support are included within an investigation when investigating fraud against national benefits.

10h: If local authorities investigate possible fraudulent claims for council tax support, to what information, in what form would they need access?

Councils would need to access the documents that contained the false information. Where this information is contained within a claim for a national benefit, councils will need access to this information. This could be recordings of telephone calls where claims to national benefits have been made by telephone; or paper or electronic documents where claims or changes have been made this way. There may also be the need to gather witness statements from front-line staff and decision-makers.

10i: What penalties should be imposed for fraudulent claims, should they apply nationally, and should they relate to the penalties imposed for benefit fraud?

The same range of penalties should be available to local councils to deal with fraud against local schemes as there is to deal with fraud against national benefit schemes. The application of these penalties should be a matter for local councils to decide.

10j: Should all attempts by an individual to commit fraud be taken into account in the imposition of penalties?

All *known* attempts to commit fraud would most probably be taken into account by councils when considering the imposition of penalties. However, local councils should have the power to decide if a penalty should apply and the duration of that penalty.

11a: Apart from the allocation of central government funding, should additional constraints be placed on the funding councils can devote to their schemes?

Local councils should have the ability to decide the level of funding they wish to commit to a local scheme.

11b: Should the schemes be run unchanged over several years or be adjusted annually to reflect changes in need?

It must be possible to amend schemes annually if required. Equally, the funding provided by Central Government should be reviewed regularly to reflect changes in need.

12a: What can be done to help local authorities minimise administration costs?

Local schemes that reflect and respond to income levels and household changes are more difficult and costly to administer than other types of schemes. Separating the administration of housing benefit from council tax benefit is unlikely to achieve significant reductions in administration costs as it leaves most of the elements of a means-tested benefit in place. It is essential that there are effective links to national benefits, timely and accurate exchange of data and information between national and local schemes and common ICT standards that support e-delivery options for exchanging data.

Limiting the number of schemes within councils and keeping changes in rules and regulations to a minimum will also help to keep administration costs down.

12b: How could joint working be encouraged or incentivised?

Large councils already deliver efficiencies of scale and develop wrap around services that incorporate housing benefit, council tax benefit, education benefits and domiciliary care financial assessments. The option for local schemes is unlikely to see large councils looking to enter into

new joint working arrangements. Councils will also need to maintain a housing benefit service for the first few years of a local scheme until the migration of housing benefit cases into Universal credit has been completed and this will bring its own set of challenges that may complicate prospects of joint administration of local schemes.

13a: Do you agree that a one-off introduction is preferable? If not, how would you move to a new localised system while managing the funding reduction?

A one off introduction is preferable as this is easier to manage from a communications aspect.

13b: What information would local authorities need to retain about current recipients/applicants of council tax benefit in order to determine their entitlement to council tax support?

We would expect to keep most of the information we hold. Whether the local scheme is an income-based rebate scheme or a banded discount scheme, retaining the current data sets is essential in supporting its implementation. It will allow us to accurately assess entitlement in many instances without the need to re-contact customers and, in cases where we can't accurately assess entitlement, it will enable us to better target those from whom we need additional or new information.

13c: What can Government do to help local authorities in the transition?

The intention to implement local schemes by April 2013 means that there will be 2 transitional phases. The first is the transition from the current CTB scheme to the local scheme from April 2013 which will need to have links with Income Support, Jobseekers Allowance and the main working age and pension age benefits; the second is the need to set up arrangements to link a scheme to Universal Credit which is due to go live in October 2013 and which replaces the main working age benefits. It is important that the arrangements developed for the pre-Universal Credit running of local schemes are transferred to the running of the scheme after Universal Credit goes live.

The development of model schemes and toolkits for forecasting demand will also be required as will adequate funding to cover communication strategies, customer services implications, IT development and the development of policy, procedures and forms.

It is also important that there is clarity and consistency between DWP, DCLG and local councils around administration funding. DWP currently provide administration grant funding for both Housing Benefit and Council Tax benefit. DWP funding levels are expected to reduce from April 2013 to reflect the fact that they no longer need to fund Council Tax benefit and also that each council will have a reducing Housing Benefit caseload following the October 2013 implementation of Universal Credit. These funding changes need to be adequately addressed within the funding provided by DCLG and decisions on funding need to be made early to support councils' planning arrangements.

13d: If new or amended IT systems are needed what steps could Government take to shorten the period for design and procurement?

Councils will in the first instance look to develop existing IT solutions and the key issues will be the timing of the laying of the necessary legislation and the level of funding made available for systems development.

13e: Should applications, if submitted prior 1 April 2013, be treated as if submitted under the new system?

Existing claims should be treated as claims for the new scheme of support automatically. It should be up to individual authorities to decide how far in advance of the new scheme they would accept new claims

13f: How should rights accrued under the previous system be treated?

The Government intends to prescribe a scheme for pensioners and it will be up to local councils to decide how local schemes should operate taking into account local priorities. Local councils should be free to decide whether any rights accrued – most of which relate to transitional arrangements for national benefits – are a local priority.