

**NON-CONFIDENTIAL
BOROUGH OF TAMWORTH**



CABINET

13 November 2024

A meeting of the CABINET will be held on Thursday, 21st November, 2024, 6.00 pm in Town Hall, Market Street, Tamworth

A G E N D A

NON CONFIDENTIAL

1 Apologies for Absence

2 Minutes of Previous Meeting (Pages 5 - 8)

3 Declarations of Interest

To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.

4 Question Time:

To answer questions from members of the public pursuant to Executive Procedure Rule No. 13

5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules

6 Draft Base Budget Forecasts 2025/26 to 2029/30 (Pages 9 - 60)

(Report of the Leader of the Council)

7 Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2024/25 (Pages 61 - 84)

(Report of The Leader of the Council)

- 8 Local Council Tax Reduction Scheme 2025/26** (Pages 85 - 182)
(Report of The Leader of the Council)
- 9 Equality and Diversity Strategy** (Pages 183 - 236)
(Report of the Leader of the Council)
- 10 Update to Corporate Health and Safety Policy** (Pages 237 - 286)
(Report of the Portfolio Holder of Environmental Sustainability, Recycling and Waste)
- 11 Community Recovery Funding** (Pages 287 - 324)
(Report of the Portfolio Holder for Cooperative Council, Community Partnerships and ASB)
- 12 Council Housing - Tenancy Management Policy** (Pages 325 - 380)
(Report of the Portfolio Holder for Housing, Homelessness and Planning)
- 13 Updated Asset Management Strategy** (Pages 381 - 442)
(Report of the Portfolio Holder for Infrastructure, Heritage and Local Economy)

14 Exclusion of the Press and Public

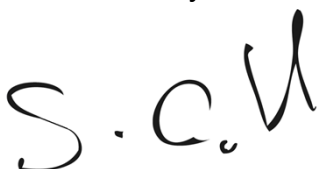
To consider excluding the Press and Public from the meeting by passing the following resolution:-

“That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public”

At the time this agenda is published no representations have been received that this part of the meeting should be open to the public.

- 15 Food Waste Service** (Pages 443 - 452)
(Report of the Portfolio Holder for Environmental Sustainability, Recycling and Waste)
- 16 Update on commercial Lease** (Pages 453 - 470)
(Report of the Portfolio Holder for Infrastructure, Heritage and Local Economy)

Yours faithfully



Chief Executive

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

If a member of the public is particularly concerned about being filmed, please contact a member of Democratic Services before selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: C Dean, D Foster, N Arkney, B Clarke, S Daniels and L Smith.

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MINUTES OF A MEETING OF THE CABINET HELD ON 31st OCTOBER 2024

PRESENT: Councillor , Councillors C Dean, D Foster, N Arkney, B Clarke, S Daniels and L Smith

The following officers were present: Stephen Gabriel (Chief Executive), Rob Barnes (Executive Director Communities), Paul Weston (Assistant Director Assets), Tracey Pointon (Legal Admin & Democratic Services Manager) and Laura Sandland (Democratic and Executive Support Officer)

61 APOLOGIES FOR ABSENCE

There were no apologies for absence. Cllr L Smith arrived at 18.03.

62 MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting held on 10th October 2024 were approved as a correct record.

(Moved by Councillor B Clarke and seconded by Councillor S Daniels)

63 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

64 QUESTION TIME:

65 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES

Report of the Chair of the Infrastructure Safety & Growth Scrutiny Committee to Notify Cabinet of the recommendations from the Maintenance of Estates and Open Spaces item that was discussed at the meeting of Infrastructure Safety & Growth Scrutiny Committee on the 2nd October 2024.

Following consideration of the item the Committee agree to the following recommendations being made to Cabinet:

1. That the Council investigates how it could provide an educational

programme to inform residents of the services that Tamworth Borough Council are responsible for and what the County are responsible for.

(Moved by Councillor B Price and seconded by councillor L Clarke)

2. Investigate the purchase of a bank cutting machine
(Moved by Councillor M Clarke and seconded by Councillor C Adams)

RESOLVED that Cabinet

Approved the two recommendations from the Infrastructure Safety & Growth Committee

(Moved by Councillor B Clarke and seconded by Councillor N Arkney)

66 STAFFORDSHIRE LEADERS BOARD UPDATE

Report of the Leader of the Council, to Inform Cabinet of the Staffordshire Leaders Board action to write jointly to Government to seek a conversation about devolution and how it could benefit the whole of Staffordshire

RESOLVED that Cabinet:

1. Noted this update from the Staffordshire Leaders Board

(Moved by Councillor L Smith and seconded by Councillor S Daniels)

67 FHSF UPDATE SEPTEMBER 2024

Report of the Leader of the council. Provided an update on the Future High Streets Fund (FHSF) programme of works.

RESOLVED that Cabinet:

1. Noted the progress and challenges of the programme of works

(Moved by Councillor N Arkney and seconded by Councillor B Clarke)

68 COUNCIL HOUSING TENANTS ANNUAL REPORT

Report of the Portfolio Holder for Housing, Homelessness and Planning, to set out the detail for the Councils Annual Report for council housing tenants' 2023/24 and to agree the headline improvement action plan for the tenant satisfaction measure survey undertaken in 2023/24.

The report also sets out the arrangements for undertaking the annual tenants' satisfaction measure survey 2024/25 as per the Regulatory requirements, including the use of grant funding from MHCLG for this purpose and

provide update on the tenants' conference on 16th September 2024, and the forthcoming consultation roadshow on the draft 'tenant involvement and consultation strategy 2025-30'.

It also sets out the details for the 'Getting to Know You' survey being launch during the winter of 2024 to understand the diverse needs of our tenants which will be used to shape and improve housing services.

RESOLVED: that Cabinet:

1. Approved the draft 'Council Housing Tenants' Annual Report 2023/24' for circulation to all Council's tenants via the Council's website, to support effective scrutiny by tenants of their landlord's performance. Appendix A.
2. Delegated authority to the Portfolio Holder for Social Housing, Homelessness & Planning and the Executive Director of Communities to make the final amendments to the draft Council Housing Tenants' Annual Report 2023/24, prior to digital circulation to Council tenants
3. Approved the headline improvement action plan for the Tenants Satisfaction Measure Survey undertaken in 2023/24. Appendix B.
4. Approved the commissioning of an independent research company to undertake a census annual tenants' satisfaction measure survey for 2024/25, as per the Regulator of Social Housing's requirements. Noting the grant funding set out in the report.
5. Endorsed the arrangements for the tenants' conference 2024 highlights video and the consultation roadshow timetable (Appendix C) following the tenants conference, designed to put tenants at the heart of housing services.
6. Delegated final arrangements to the Portfolio Holder for Housing, Homelessness and Planning and the Executive Director of Communities for the 'Getting to Know You' survey to be undertaken during the winter of 2024.

(Moved by Councillor B Clarke & seconded by Councillor N Arkney)

Cabinet also thanked Officers for the work undertaken on the Annual Report and the Tenants Conference

69 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

(Moved by Councillor N Arkney and seconded by Councillor L Smith)

70 UPDATE ON COMMERCIAL LEASE

Report of the Portfolio Holder for Infrastructure, Heritage and Local Economy.

RESOLVED that Cabinet:

1. Agreed the recommendations in the report.

(Moved by Councillor N Arkney and seconded by Councillor B Clarke)

Leader

21st November 2024

REPORT OF THE LEADER OF THE COUNCIL

DRAFT BASE BUDGET FORECASTS 2025/26 to 2029/30

Purpose

To inform Members of the re-priced base budget for 2025/26, base budget forecasts for the period 2025/26 to 2029/30 (the 5 Year Medium Term Planning Period) and the underlying assumptions and to consider the future strategy to address the financial trends.

Recommendations

That:

- 1. the technical adjustments and re-priced base budget figures for 2025/26 and indicative budgets to 2029/30 be approved (as attached at Appendix B, C, D, E, F, G and H);**
- 2. consideration be given to the proposed Policy Changes and Capital Programmes, as detailed within the report;**
- 3. consideration be given to the planned changes to Council Tax and Housing Rent for 2025/26, as detailed within the report; and**
- 4. in compliance with the Constitution of the Council, note that the Leader's Budget Workshop were due to consider the budget proposals contained within this report on 18th November 2024.**

Executive Summary

The following detailed budget information is contained within the report:

Re-priced base budget information (and the associated technical adjustments) for 2025/26 in respect of the General Fund (GF) and Housing Revenue Account (HRA);

A five year, medium term financial forecast for the General Fund and HRA;

The associated strategy to address the financial trends and projection;

The Provisional Capital Programmes for the General Fund and Housing Revenue Account for the period 2025/26 to 2029/30.

When Council approved the 2024/25 Budget and Medium Term Financial Strategy in February 2024, significant uncertainties around the Council's finances remained, pending an update on the previous Government's planned fair funding review & business rates reset, as well as significant cost pressures arising from the current economic situation.

The budget announced in October 2024, by the Chancellor confirmed that the government is committed to reforming the approach to funding allocations within the Local Government Finance Settlement by redistributing funding to ensure that it reflects an up to date assessment of need and local revenues. This will start with a targeted approach to allocating additional funding in 2025/26, ahead of a broader redistribution of funding through a multi-year settlement from 2026/27.

This report **does not include** the impact of any of the changes, including the increase in Employers National Insurance contributions, announced in the October Budget. Further details relating to local government finance will be revealed by the Government, through an upcoming policy statement and the impact of these changes will be included in the report to Cabinet on the 23rd January 2025.

There is a high risk that these reforms will have a significant effect on the Council's funding level from 2025/26.

As part of the Local Government Funding Settlement announced on 5th February 2024, the Government announced the requirement for local authorities to prepare a Productivity Plan which was to be published by July 24. This plan was to be agreed by Council Leaders and members and published on the Council's website, and was required to cover:

- 1) transformation of services to make better use of resources;
- 2) opportunities to take advantage of advances in technology and make better use of data to inform decision making and service design;
- 3) ways to reduce wasteful spend within systems, including specific consideration of expenditure on consultants and discredited staff Equality, Diversity and Inclusion programmes – this does not include programmes designed to promote integration and civic pride, and counterextremism; and
- 4) barriers preventing activity that the Government can help to reduce or remove.

The Productivity Plan gives consideration to increasing income, reviewing services, tackling persistent over and underspends with a view to becoming financially sustainable over the medium term.

The Productivity Plan for Tamworth was presented to Corporate Scrutiny on 25th June and was approved by Cabinet on 27th June 2024.

There remains a high degree of uncertainty arising from the announcements in the October 2024 Budget as to the funding allocations for the Council for 2025/26 and future years. The main funding streams determined by the settlement are detailed in the paragraphs below.

The Council receives funding from 4 main funding streams –

- Revenue Support Grant
- Business Rates
- Specific Grants and
- Council Tax

The base budget assumes that these funding streams will increase in line with the original assumptions used in the MTFS reported February 2024 over the period 2025/26 to 2029/30.

There are also further uncertainties arising from cost pressure and inflationary increases which have compounded price increases for supplies that are required for building or construction/maintenance works.

An increase in the cost of repairs has been included in the MTFS due to market cost pressures. The RICS through their Building cost indicator service (BCIS) have predicted increasing tender prices over the next few years so this is likely to impact on existing contracts. There is the risk that if costs continue to increase in excess of CPI, contractors will seek further uplifts. The impact on planned work is that less work will be done, this will extend the renewal period for key components which will increase demand on responsive repairs. The volume of responsive repairs is unlikely to change.

Income from the commercial/industrial portfolio held up during the pandemic, but underlying market issues and the increase in online shopping mean that there is an immediate risk in relation to the income achievable from the Council's commercial property portfolio, which is likely to result in a significant loss of income.

Financial resilience is and has been the key requirement for local authorities at any time, but in the current crisis it has assumed unprecedented importance.

The overriding goal is to make sure our organisation remains fit for the future, while protecting services to the most vulnerable in our community – Members will face difficult decisions around prioritising services, when faced with significant changes in funding.

Corporate Management Team (CMT) and Cabinet review the most up-to-date budget forecasts on a quarterly basis and discuss the delivery of savings to support our Medium Term Financial Strategy (MTFS).

2025/26 Base Budget

As a result of the updated base budget, the projections now identify General Fund balances of £5.0m by 2025/26 (compared to £5.9m), a shortfall of £7.0m by 2027/28 (compared to a shortfall of £3.6m), with a shortfall of £19.1m by 2029/30.

With regard to the Housing Revenue Account, a 5 year MTFS was approved by Council including significant investment in meeting future housing needs to sustain the HRA in the longer term.

As a result of the updated base budget, the projections now identify HRA balances of £2.4m by 2025/26 (compared to £4.7m as part of the approved MTFS forecast in February 2024), £2.6m by 2027/28 (compared to £7.7m), with balances of £4.0m by 2029/30.

This includes the additional cost pressures of £6.8m p.a over 5 years identified to date in the proposed HRA policy changes but it does not include the anticipated cost pressures for the HRA capital programme arising from the ongoing work in updating the 30 year HRA business plan.

The MTFS included a forecast increase of 3% p.a. based on the formula allowed under the Rent Setting Guidance of CPI plus 1%. Given the current level of CPI of 1.7% (September 2024), the budgeted increase for 2025/26 will be 2.7% in line with the maximum allowed by the Government’s Rent Standard - that social housing rents can increase to include ‘up to’ a factor of the consumer price index (CPI) measure of inflation (for September of the preceding year) plus 1%. This has been the case since 2020, and we have assumed that this will continue for 2025/26. Each 1% increase would equate to additional income of c.£226k p.a. (£1.13m over 5 years).

The key uncertainties which will inform further budget considerations before the final budget proposals are developed are:

- Future Government financial support and Revenue Support Grant levels for future years - the budget setting process has faced significant constraints in Government funding in recent years - following years of austerity.
- Energy efficiency is likely to be a significant feature across all our property portfolio including Council Housing. The commitment to achieve zero carbon within our own operations will present difficulties when considering our historic buildings like the Assembly Rooms, Castle and Town Hall. It is likely that investment in the property portfolio will be needed which has not yet been quantified and will need to be considered in future, in line with the Corporate Capital Strategy and Asset Strategy objectives.
- Local Government pay for 2024/25 was agreed in October 2024 which saw an increase of £1,290 on all pay points up to and including SCP43, with a 2.5% increase for all pay above this point. Future years remain uncertain, but a 2.5% p.a. increase has been assumed for 2025/26 and future years.
- Challenge to continue to achieve high collection rates for council tax, business rates and housing rents – in light of the welfare benefit reforms and the impact of cost pressures on economic conditions and uncertainty.

Options Considered

As part of the budget setting process a number of options for the council tax increase levels for 2025/26 and future years have been modelled / considered.

Council Tax	Option Modelled / Considered
Model 1	2.95% increase (£5.98) in Council tax in 2025/26 (followed by increases of 2.95% p.a.) as included in the MTFS
Model 2	£5.00 increase (2.41%) in Council tax in 2025/26 (followed by increases of £5.00 p.a.)
Model 3	2.99% increase (£6.06) in Council tax in 2025/26 (followed by increases of 2.99% thereafter)
Model 4	0% increase in Council tax in 2025/26 (followed by increases of 0% thereafter)

Rent	Option Modelled / Considered
CPI plus 1%	The Government previously confirmed that social housing rents can increase to include 'up to' a factor of the consumer price index (CPI) measure of inflation plus 1% for five years from 2020, following the conclusion of a consultation on the new rent standard
CPI	General increase in line with CPI
No increase	No general increase in annual rent

Resource Implications

The detailed financial and budgetary implications are outlined within the report.

A further update will be reported to Cabinet on 23rd January 2025, which will include the impact of changes made in the budget on 30th October where appropriate, before the Final Budget Report is presented to Cabinet and Full Council in February 2025.

Legal / Risk Implications

The Council's constitution requires Cabinet publish initial proposals for the budget, having first canvassed the views of local stakeholders as appropriate - budget proposals will be referred to the Joint Scrutiny Committee (Budget) for further advice and consideration.

In line with the constitution a Leaders Budget Workshop has been arranged for 18th November 2024. In order to allow Scrutiny Committees to respond to the Cabinet on the outcome of their deliberations, a meeting of the Scrutiny Committee (Budget) has been arranged for 28th January 2025. Proposed amendments to the 2024/25 base budget, approved by Council on 27th February 2024, are detailed within the report.

Risks to Capital and Revenue Forecasts:

Risk	Control Measure
Major variances to the level of grant / subsidy from the Government (including specific grants e.g. Benefits administration, Business Rates Section 31 funding); (High)	Sensitivity modelling undertaken to assess the potential impact in the estimation of future Government support levels; (High / Medium)
Potential 'capping' of council tax increases by the Government or local Council Tax veto / referendum; (Medium)	Previous indications were that increases of 2% risk 'capping' (3% or £5 for District Councils); (Low)
The achievement / delivery of substantial savings / efficiencies will be needed to ensure sufficient resources will be	A robust & critical review of savings proposals will be required / undertaken before inclusion within the forecast;

Risk	Control Measure
available to deliver the Council's objectives through years 3 to 5. Ongoing; (High)	(High/Medium)
Pay awards greater than forecast; (Medium)	The Pay award for 2024/25 has been agreed in October 2024. Increases of 2.5% p.a. assumed from 2025/26.; (High / Medium)
Pension costs higher than planned / adverse performance of pension fund; (Medium)	Regular update meetings with Actuary; Option to 'freeze' the 'lump sum' element for the 3 years from 2023/24 to 2025/26 (after the triennial review during 2022), followed by 1% p.a. year on year increases included from 2026/27; (Medium/Low)
Assessment of business rates collection levels to inform the forecast / budget (NNDR1) and estimates of appeals, mandatory & discretionary reliefs, cost of collection, bad debts and collection levels; New burdens (Section 31) grant funding for Central Government policy changes – including impact on levy calculation; (High)	Robust estimates included to arrive at collection target. Ongoing proactive management & monitoring will continue; Business Rates Collection Reserve - provision of reserve funding to mitigate impact of any changes in business rate income levels; Monitoring of the situation / regular reporting; (High / Medium)
Local Council Tax Reduction scheme potential yield changes and maintenance of collection levels due to potential increases in unemployment; (High)	Robust estimates included. Ongoing proactive management & monitoring (including a quarterly healthcheck on the implications on the organisation – capacity / finance) will continue; (High / Medium)
Achievement of income streams in line with targets in light of the economic conditions e.g. treasury management interest, car parking, planning, commercial & industrial rents etc.; (High / Medium)	Robust estimates have been included; Ongoing management & monitoring will continue; (Medium)
Continue to achieve high collection rates for council tax, business rates and housing rents – in light of the welfare benefit reforms and the impact of cost pressures on economic conditions and uncertainty (Medium)	Robust monitoring and evaluation of the situation (Medium)
Impact of potential conflict in Middle East resulting in volatile financial markets/impact on oil prices and consequential inflation/energy price increases. (High / Medium)	Robust monitoring and evaluation of the situation (Medium)
Delivery of the capital programme (GF /	Robust monitoring and evaluation – should

Risk	Control Measure
HRA – including Regeneration schemes) dependent on funding through capital receipts and grants (including DFG funding through the Better Care Fund); (High / Medium)	funds not be available then schemes would not progress; (Medium)
Dependency on partner organisation arrangements and contributions e.g. Waste Management (SCC/LDC). (High / Medium)	Memorandum of Understanding in place with LDC. (Medium)
Maintenance and repairs backlog for corporate assets – and planned development of long term strategic plan to address such. (High / Medium)	Planned development of long term strategic corporate capital strategy and asset management plans to consider the requirements and associated potential funding streams. (Medium)

Report Author

If Members would like further information or clarification prior to the meeting please contact Joanne Goodfellow, Interim Executive Director Finance ext. 241.

Background Papers:-	Corporate Vision, Priorities Plan, Budget & Medium Term Financial Strategy 2024/25, Council 27 th February 2024
	Budget and Medium Term Financial Planning Process 2025/26, Cabinet 29 th August 2024

Base Budget Forecast 2025/26 to 2029/30

Revisions / updates have been made to the 2024/25 base budget in order to produce an adjusted base for 2025/26 and forecast base for 2026/27 onwards.

This report does not include the impact of changes made in the budget on 30th October 2024 these will be reported to Cabinet on 23rd January 2025.

General Fund Revenue

Forecast – When the budget for 2024/25, and indicative budgets for 2025/26 to 2028/29, were approved by Council in February 2024 it was anticipated that balances would remain above the minimum approved level of £0.5m for the 3 year period.

As a result of the updated base budget, the projections now identify General Fund balances of £5.0m by 2025/26 (compared to £5.9m), a shortfall of £7.0m by 2027/28 (compared to a shortfall of £3.6m), with a shortfall of £19.1m by 2029/30.

The forecast has been updated to include:

Change:	Budget Impact
<i>Savings / increased income</i>	
Balances b/f from 2023/24 due to additional underspend	£(413)k 24/25 only
<i>Additional costs / reduced income</i>	
Projected outturn Q2 2024/25	£778k 24/25 only
Proposed Policy Changes	£5.1m over 5 years from 25/26

The previously approved policy changes are included within this forecast – Assistant Directors were issued with the provisional information in August to review, confirm & resubmit by the end of September.

Balances held within earmarked reserves for Transformation and Business Rates retention will also be available to support the development of the budget and MTFS.

Implications & Options

Consideration of the level of Council tax increases over the 5 year period is also needed to account for potential ‘capping’ by the Government or a local referendum / veto and to ensure that balances are maintained at the minimum approved level of £0.5m.

Decisions on future funding will need to be made with reference to the Council’s Corporate Priorities together with the feedback and issues raised by the budget consultation exercise. There is a need to consider how the limited resources can be ‘prioritised’ (and whether service improvements in a priority area should be met from service reductions elsewhere).

Responses / indications from Scrutiny Committees on priority areas for the future allocation of resources will be sought, as part of the consultation required by the constitution.

Housing Revenue Account

Forecast – When the budget for 2024/25, and indicative budgets for 2025/26 to 2028/29, were approved by Council in February 2024 it was anticipated that balances would remain above the minimum approved level of £0.5m for the 5-year period.

With regard to the Housing Revenue Account, a 5 year MTFs was approved by Council including significant investment in meeting future housing needs to sustain the HRA in the longer term.

As a result of the updated base budget, the projections now identify HRA balances of £2.4m by 2025/26 (compared to £4.7m as part of the approved MTFs forecast in February 2024), £2.6m by 2027/28 (compared to £7.7m), with balances of £4.0m by 2029/30.

This includes the additional cost pressures of £6.8m p.a over 5 years identified to date in the proposed HRA policy changes but it does not include the anticipated cost pressures for the HRA capital programme arising from the ongoing work in updating the 30 year HRA business plan).

The forecast has been updated to include:

Change:	Budget Impact
<i>Savings / increased income</i>	
Updated balances b/f from increased underspend	(£282k) 24/25 only
<i>Additional costs / reduced income</i>	
Projected outturn Q2 2024/25	£449k 24/25 only
Proposed Policy Changes	£6.8m over 5 years from 25/26

Detailed Considerations

Base Budget Forecasts 2025/26 to 2029/30

Revisions / updates have been made to the 2024/25 base budget in order to produce an adjusted base for 2025/26 and forecast base for 2026/27 onwards. These changes, known as technical adjustments, have been informed by feedback from budget managers and calculated to take account of:

- virements approved since the base budget was set;
- the removal of non-recurring budgets from the base;
- the effect of inflation;
- changes in payroll costs and annual payroll increments;
- changes in expenditure and income following decisions made by the Council;
- other changes outside the control of the Council such as changes in insurance costs and reduction in grant income;
- The 'Zero base budgeting' review of income levels.

General Fund – Technical Adjustments Summary

Technical Adjustments	2025/26	2026/27	2027/28	2028/29	2029/30
	£'000	£'000	£'000	£'000	£'000
Base Budget B/Fwd	8,183	10,870	12,896	13,178	13,558
Committee Decisions	1,509	859	13	6	-
Inflation	51	48	61	63	64
Other	494	587	185	30	139
Pay Adjustments	633	532	23	281	283
Revised charges for non-general fund activities	-	-	-	-	-
Virements	-	-	-	-	-
Total / Revised Base Budget	10,870	12,896	13,178	13,558	14,044

*The figures above **exclude** the proposed Policy Changes for 2025/26 onwards

The technical adjustments are shown in detail at **Appendix B** with a summary by Directorate at **Appendix D**. The key assumptions made during the exercise are summarised at **Appendix A**.

Future Revenue Support Grant & Business Rate Income

There remains a high degree of uncertainty arising from the most significant changes in Local Government funding for a generation. The Government is committed to reforming the approach to funding allocations within the Local Government Finance Settlement by redistributing funding to ensure that it reflects an up- to-date assessment of need and local revenues and will set out further details through an upcoming local government finance policy statement.

There is a high risk that these reforms will have a significant effect on the Council’s funding level in the future, specifically from the revised treatment of:

- Forecast levels of growth / contraction in business rates – including the level of void properties and unpaid business rates;
- The estimated level of mandatory and discretionary reliefs;
- The estimated level of refunds of Business Rates following the Appeal process – especially following the planned changes in rateable values arising from the Business Rates Revaluation from April 2023;
- the treatment of Section 31 grant funding (including Small Business Rate Relief Grant) – which could affect the calculation of any levy payment and thereby reduce retained Business Rate income; and
- the approach to distributing funding in 2025/26 and future years and any transitional policy introduced

It will be late December when the draft situation for 2025/26 will be known - when the Draft Local Government Finance Settlement is published.

Revenue Support Grant (RSG)

For future years (post 2025/26), it has been assumed that there will be an inflationary increase in Revenue Support Grant, as detailed below.

BASE BUDGET	2025/26	2026/27	2027/28	2028/29	2029/30
	£	£	£	£	£
Revenue Support Grant	328,452	335,021	341,722	348,556	355,527
% Increase / (Reduction)	2.00%	2.00%	2.00%	2.00%	2.00%

Business Rate Income

The MTFS reported in February 2024 assumed that from 2026/27 onwards, the current retained growth will be redistributed as part of the business rates. The latest base budget forecast has maintained this position as it is assumed indicative figures will be available when the draft settlement figures are released in December 2024.

BASELINE	2025/26	2026/27	2027/28	2028/29	2029/30
	£	£	£	£	£
MTFS Forecast (February 2024):					
Retained Business Rates	15,407,082	15,715,224	16,029,528	16,350,119	16,677,121
Less: Tariff payable	(12,361,073)	(13,138,695)	(13,401,468)	(13,669,498)	(13,942,888)
Total SFA	3,046,009	2,576,529	2,628,060	2,680,621	2,734,233
% Reduction	-1.47%	-15.41%	2.00%	2.00%	2.00%
Base Budget Forecast (October 2024):					
Retained Business Rates	15,407,082	15,715,224	16,029,528	16,350,119	16,677,121
Less: Tariff payable	(12,361,073)	(13,138,695)	(13,401,468)	(13,669,498)	(13,942,888)
Total SFA	3,046,009	2,576,529	2,628,060	2,680,621	2,734,233
% Reduction	-1.47%	-15.41%	2.00%	2.00%	2.00%
Increase / (Decrease)	-	-	-	-	-

New Homes Bonus (NHB)

Furthermore, there remains uncertainty over the ongoing funding for the New Homes Bonus scheme, as it has been 'rolled over' for another year in 2024/25, with allocations made for that year only.

The Government consulted on the future of the New Homes Bonus in 2021 and set out its intention to hold a consultation on the future of the New Homes Bonus, with a view to implementing reform in 2023/24.

However, the government subsequently announced additional funding for both 2023/24 and 2024/25:

BASE BUDGET	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
NHB	£	£	£	£	£	£
MTFS Forecast (February 2024)	503,000	-	-	-	-	-
Base Budget Forecast (November 2024)	503,000	-	-	-	-	-
Increased / (Reduced) income	-	-	-	-	-	-

No New Homes Bonus income has been forecast for 2025/26 pending the consultation.

Forecast

Using the funding forecast and assuming increases in Council Tax of 2.95% per annum for 2025/26 onwards, the five year base budget forecast is as follows:

Summary	2025/26	2026/27	2027/28	2028/29	2029/30
	£'000	£'000	£'000	£'000	£'000
Estimated Net Cost of Services	10,870	12,896	13,178	13,558	14,044
Proposed Policy Changes / Additional Costs Identified	803	1,147	1,148	1,042	956
Net Expenditure	11,673	14,043	14,326	14,600	15,000
Financing:					
RSG	328	335	342	349	356
Collection Fund Surplus	27	27	27	27	27
Collection Fund Surplus	-	-	-	-	-
Tariff Payable	(12,361)	(13,139)	(13,401)	(13,669)	(13,943)
Non Domestic Ratepayers	15,407	15,715	16,030	16,350	16,677
Council Tax Income	4,941	5,130	5,326	5,528	5,738
Gross Financing	8,342	8,068	8,324	8,585	8,855
Surplus(-)/Deficit	3,331	5,975	6,002	6,015	6,145
Balances Remaining (-) / Overdrawn	(5,489)	486	6,488	12,503	18,648

Per Council, 27 th February 2024	(5,923)	(1,197)	3,625	8,645
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Band D Equivalents	23,679	23,879	24,079	24,279	24,479
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*The figures above **include** the proposed Policy Changes for 2025/26 onwards

As a result of the updated base budget, the projections now identify General Fund balances of £5.0m by 2025/26 (compared to £5.9m), a shortfall of £7.0m by 2027/28 (compared to a shortfall of £3.6m), with a shortfall of £19.1m by 2029/30 (including the minimum level of balances £500k).

A detailed summary of the budget for 2025/26 is attached at **Appendix F** with 5 years attached at **Appendix G**.

Future Strategy

Due to the uncertain financial forecast in the longer term, there is a need to reconsider the inclusion of items contained within the forecast / budget:

1) *Variations to Council Tax Policy/Strategy*

For future years potential 'capping' of the increase by the Government or a proposed local council tax referendum/veto needs to be considered when setting future Council Tax increases. The Council's Band D Council Tax is currently £202.70.

The indication is that the 'capping' threshold for District Councils will be the higher of £5 or 3.0%.

Council Tax	Option Modelled / Considered
Model 1	2.95% increase (£5.98) in Council tax in 2025/26 (followed by increases of 2.95% p.a.) as included in the MTFS
Model 2	£5.00 increase (2.41%) in Council tax in 2025/26 (followed by increases of £5.00 p.a.)
Model 3	2.99% increase (£6.06) in Council tax in 2025/26 (followed by increases of 2.99% p.a.)
Model 4	0% increase in Council tax in 2025/26 (followed by increases of 0% p.a.)

Model 1 Impact of 2.95% increase (£5.98) in Council tax in 2025/26 (followed by increases of 2.95% p.a.) as included in the MTFS

Year:	2025/26	2026/27	2027/28	2028/29	2029/30
Forecast:	£'000	£'000	£'000	£'000	£'000
Surplus (-)/Deficit	3,330	5,973	6,003	6,015	6,145
Balances Remaining (-) / Overdrawn	(5,490)	483	6,487	12,502	18,646
£ Increase	5.98	6.16	6.34	6.52	6.72
% Increase	2.95%	2.95%	2.95%	2.95%	2.95%
Note: Resulting Band D Council Tax	208.68	214.84	221.18	227.70	234.42

*The figures above **include** the proposed Policy Changes for 2025/26 onwards

Indicating a potential shortfall in General Fund balances of approx. £6.9m over 3 years (with a shortfall of £13m over 4 years and £19.1m over the 5 year period) - including the minimum approved level of £0.5m.

In order to consider alternative options, the following scenarios have been modelled:

Model 2 Impact of £5.00 increase (2.41%) in Council tax in 2025/26 (followed by increases of £5.00 p.a.)

Year:	2025/26	2026/27	2027/28	2028/29	2029/30
Forecast:	£'000	£'000	£'000	£'000	£'000
Surplus (-)/Deficit	3,354	6,024	6,087	6,136	6,309
Balances Remaining (-) / Overdrawn	(5,467)	558	6,645	12,781	19,090
£ Increase	5.00	5.00	5.00	5.00	5.00
% Increase	0.02	0.02	0.02	0.02	0.02
Note: Resulting Band D Council Tax	207.70	212.70	217.70	222.70	227.70

*The figures above **include** the proposed Policy Changes for 2025/26 onwards

Indicating a shortfall in General Fund balances of approx. £7.1m over 3 years (with a shortfall of £13.2m over 4 years and £19.6m over the 5 year period) - including the minimum approved level of £0.5m.

Model 3 Impact of 2.99% increase (£6.06) in Council tax in 2025/26 (followed by increases of 2.99% p.a.)

Year:	2025/26	2026/27	2027/28	2028/29	2029/30
Forecast:	£'000	£'000	£'000	£'000	£'000
Surplus (-)/Deficit	3,328	5,969	5,997	6,006	6,134
Balances Remaining (-) / Overdrawn	(5,492)	478	6,475	12,481	18,615
£ Increase	6.06	6.24	6.43	6.62	6.82
% Increase	0.03	0.03	0.03	0.03	0.03
Note: Resulting Band D Council Tax	208.76	215.00	221.43	228.05	234.87

*The figures above **include** the proposed Policy Changes for 2025/26 onwards

Indicating a potential shortfall in General Fund balances of approx. £6.9m over 3 years (with a shortfall of £12.9m over 4 years and £19.1m over the 5 year period) - including the minimum approved level of £0.5m.

Members may wish to consider an increase of 2.99% in Council tax for 2025/26 onwards in order to maximise funding from council tax.

Model 4 Impact of 0% increase in Council tax in 2025/26 (followed by increases of 0% p.a.)

Year:	2025/26	2026/27	2027/28	2028/29	2029/30
Forecast:	£'000	£'000	£'000	£'000	£'000
Surplus (-)/Deficit	3,472	6,263	6,448	6,622	6,921
Balances Remaining (-) / Overdrawn	(5,348)	915	7,363	13,985	20,906
£ Increase	-	-	-	-	-
% Increase	-	-	-	-	-
Note: Resulting Band D Council Tax	202.70	202.70	202.70	202.70	202.70

*The figures above **include** the proposed Policy Changes for 2025/26 onwards

Indicating balances of £7.8m over 3 years (with a shortfall of £14.4m over 4 years and £21.4m over the 5 year period) - including the minimum approved level of £0.5m.

2) *Potential Savings / additional costs*

Potential revenue policy changes are highlighted below:

Item No	Proposal/(Existing Budget)	Implications	Budget Change	Budget Change	Budget Change	Budget Change	Budget Change
			25/26 £'000	26/27 £'000	27/28 £'000	28/29 £'000	29/30 £'000
OR 1	New Policy & Performance team including permanent AD post and two temporary officer posts, including homeworking allowance, car user allowance and net of £100k reserve and salaries budget savings from vacant Performance and Insight Officer hours		60.17	1.45	4.25	5.18	-
PE 1	Annual Azure hosting	The Azure hosting costs are an ongoing commitment. This will facilitate moving the majority of our server estate to Microsoft's Cloud services. The current server and storage infrastructure is reaching capacity and either requires replacing or in line with the ICT Strategy, migrating to Cloud services	80.00	-	-	-	-
PE 2	Staff Conference	Increased costs	5.00	-	-	-	-
PE 3	Corporate Training Budgets	Increased costs and training requirements – reduced to £20k and limited to statutory posts/requirements	20.00	-	-	-	-

Item No	Proposal/(Existing Budget)	Implications	Budget Change	Budget Change	Budget Change	Budget Change	Budget Change
			25/26 £'000	26/27 £'000	27/28 £'000	28/29 £'000	29/30 £'000
PE 4	Review of Elections budgets from a zero-base, factoring in the anticipated schedule of elections and ability to run joint elections/claim a share of costs from SCC/Gov't/OPCC where appropriate, the following budget adjustments are requested.	Increase budget for automated HEF Fees utilisation increased	3.50	-	-	-	-
		Rents	(14.60)	15.43	-	(7.72)	(7.72)
		Printing & Stationery	(15.82)	18.05	0.76	(12.58)	(6.23)
		Postage	(11.18)	21.60	1.18	(11.16)	(11.62)
		Election Staff	(70.63)	110.56	-	(50.28)	(60.28)
		Canvasser	(5.00)	-	-	-	-
		Modern Democracy / Express	8.19	-	-	(6.00)	-
OPS 1	Waste Management Contract / Recycling Credit (Policy Change)	Recycling credits budget disparity to be included	243.00	(3.00)	(3.00)	(24.00)	-
OPS 2	Assembly Rooms Policy Change for Income and Performer Costs / Spektrix		TBC	-	-	-	-
OPS 3	Health & Safety - Increase in revenue budget for 12 months to support	Reduce backlog in employee workplace stress risk assessments	13.00	(13.00)	-	-	-
PAR 1	To reduce income budget on car park enforcement to £57,000	The use of car parks dropped during the pandemic lockdown and beyond, thereby reducing car park enforcement and income from penalty charge notices. Current income budget of £121,350 is not achievable (for 2025/26 £124,380)	67.38	-	-	-	-

Item No	Proposal/(Existing Budget)	Implications	Budget Change	Budget Change	Budget Change	Budget Change	Budget Change
			25/26 £'000	26/27 £'000	27/28 £'000	28/29 £'000	29/30 £'000
AST 1	Reverse savings relating to Marmion House per BWP 048 2023/24 Marmion House R&R Deferral. Usage of Marmion House is expected to increase starting with the re-opening of the reception area in January 2025. Council meetings currently taking place at the Town Hall are also due to move to back to being held at Marmion House	Following a change of political control in May 2024 face to face customer services are being brought back. Savings previously identified for Marmion House in 2026/27 budget to be reversed as usage of the building will increase resulting in a loss of predicted savings	-	242.41	-	-	-
AST 2	Shortall in Commercial Lease Income – net of contingency funding £460k		243.00	-	-	-	-
G&R 1	Re-evaluation of estimated Car Parking Income		207.00	(50.00)	-	-	-
G&R 2	Economic Development and Regeneration	Outside car parks/season tickets	(90.00)	-	-	-	-
G&R 3	To make the Climate Officer post, which is currently a fixed term 3 year post, permanent		-	-	58.48	-	-
G&R 4	Temp Staff in Planning Policy Team till end of June 2026 (part funded till Dec 2026) and Grant savings from Proposed from Conservation Grant (GS0404 30404 £14K)		TBC	TBC	TBC	-	-
G&R 5	Building Control Partnership		60.00	-	(60.00)	-	-
	Total New Items/Amendments		803.01	343.50	1.67	(106.56)	(85.85)

As part of the planned review & scrutiny process leading up to formal presentation of the budget, Executive Management Team will consider feedback received from the Budget Consultation process, the Joint Scrutiny Budget workshop and the Joint Budget Scrutiny Committee (planned for 28th January 2025) to inform the next stages of the budget process:

- a review of the proposals including:
 - Reference to the Council's corporate priorities together with the feedback and issues raised by the budget consultation exercise, and
 - Consideration of how the limited resources can be 'rationed' (and whether service improvements in a priority area should be met from service reductions elsewhere).
- Inclusion of any further potential savings to mitigate the forecast budget shortfall. This process is ongoing and will be reported as policy changes in the next phase of the budget process to formulate a balanced medium term financial strategy for approval by Cabinet and Council in February 2025.

Housing Revenue Account – Technical Adjustments Summary

Technical Adjustments	2025/26	2026/27	2027/28	2028/29	2029/30
	£'000	£'000	£'000	£'000	£'000
Base Budget B/Fwd	(1,054)	(966)	(1,320)	(1,612)	(1,902)
Committee Decisions	(221)	119	67	2	-
Inflation	201	207	238	245	253
Other	(259)	(666)	(697)	(633)	(653)
Pay Adjustments	367	(14)	100	96	94
Revised charges for non-general fund activities	-	-	-	-	-
Virements	-	-	-	-	-
Total / Revised Base Budget	(966)	(1,320)	(1,612)	(1,902)	(2,208)

*The figures above **exclude** the proposed Policy Changes for 2025/26 onwards

The details of the technical adjustments are shown in Appendix C with a more detailed summary of the HRA Technical Adjustments at Appendix E. Assuming increases in Rent in line with the maximum allowed by the Government's Rent Standard (CPI plus 1% p.a.) in order to support investment in the housing stock, the five year base budget forecast is as follows:

Summary	2025/26	2026/27	2027/28	2028/29	2029/30
	£'000	£'000	£'000	£'000	£'000
Estimated Net (Surplus) / Deficit	(966)	(1,320)	(1,612)	(1,902)	(2,208)
Proposed Policy Changes / Additional Costs Identified (Detailed at Appendix B)	1,394	1,355	1,355	1,355	1,355
Surplus (-) / Deficit	428	35	(257)	(547)	(853)
Balances Remaining (-) / Overdrawn	(2,398)	(2,363)	(2,620)	(3,167)	(4,020)

*The figures above **include** the proposed Policy Changes for 2025/26 onwards

As a result of the updated base budget, the projections now identify HRA balances of £2.4m by 2025/26 (compared to £4.7m as part of the approved MTFS forecast in February 2024), £2.6m by 2027/28 (compared to £7.7m), with balances of £4.0m by 2029/30.

This includes the additional cost pressures of £6.8m p.a over 5 years identified to date in the proposed HRA policy changes but it does not include the anticipated cost pressures for the HRA capital programme arising from the ongoing work in updating the 30 year HRA business plan).

A summary of the HRA over the 5 year period is shown at **Appendix H**.
 Potential HRA revenue policy changes are highlighted below:

Item No	Proposal/(Existing Budget)	Implications	Budget Change	Budget Change	Budget Change	Budget Change	Budget Change
			25/26 £'000	26/27 £'000	27/28 £'000	28/29 £'000	29/30 £'000
HRA 1	Revenue Impact of Capital programme	Increased Item 8 DR recharge to HRA	TBC	-	-	-	-
HRA 2	Increase in Contribution to GF for Corporate Training as PE 5		10.00	-	-	-	-
HASS 1	Service transformation and resourcing of the assets team delivering housing repairs, improvements and compliance works.	Service Transformation £35,000 (one off) Disrepairs Technical Officer £49,000 (per annum) Disrepairs Administrative Officer £32,000 (per annum) Head of Compliance £56,000 (per annum) Repairs Administrative Officer £32,000 (per annum) Compliance Administrative Officer £32,000 (per annum)	311.76	(46.24)	-	-	-
HASS 2	Increase in budgets for housing repairs and voids to reflect changes in the contractual arrangements.	Day to Day Repairs and Voids	988.00	-	-	-	-
HNEI 1	Regulator of Social Housing's annual fees	The Regulator of Social Housing regulates registered providers of social housing in England to ensure the deliver good quality housing services to tenants.	28.50	-	-	-	-

Item No	Proposal/(Existing Budget)	Implications	Budget Change	Budget Change	Budget Change	Budget Change	Budget Change
			25/26 £'000	26/27 £'000	27/28 £'000	28/29 £'000	29/30 £'000
HNEI 2	Subscription Management	Additional budget needed to cover the increasing annual subscription costs including Housing Ombudsman, Housemark, Northern Housing Consortium, Housing quality network (HQN), Resolve ASB	25.00	-	-	-	-
HNEI 3	Budget Provision for the temporary post of "Housing Solutions Advisor" that has been in place since 2023, to be a permanent post from June 2025 (Grade D)	This additional role has added capacity to an ever-increasing busy team. The continuation of the role is required in order to allow the team to continue to deal with consistently increasing service demands	31.15	6.94	-	-	-
Total New Items/Amendments			1,394.41	(39.30)	-	-	-

Rent Setting Policy

The policy provides a framework within which Tamworth Borough Council will set rents and service charges and draws on the Department for Communities and Local Government Guidance on Rent Setting for Social Housing.

The MTFs included a forecast increase of 3% p.a. based on the formula allowed under the Rent Setting Guidance of CPI plus 1%. Given the current level of CPI of 1.7% (September 2024), the budgeted increase for 2025/26 will be 2.7% in line with the maximum allowed by the Government's Rent Standard (that social housing rents can increase to include 'up to' a factor of the consumer price index (CPI) measure of inflation (for September of the preceding year) plus 1%. This has been the case since 2020, and we have assumed that this will continue for 2025/26. Each 1% increase would equate to additional income of c.£226k p.a. (£1.13m over 5 years).

The following options have been modelled:

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
	£	£	£	£	£	£
Option 1: CPI + 1%						
Rent (52 Weeks)	99.38	102.06	105.12	108.27	111.52	114.87
Rent (48 Weeks)	107.66	110.57	113.89	117.31	120.83	124.45
% Increase	7.70%	2.70%	3.00%	3.00%	3.00%	3.00%
		5 year impact				0
Option 2: CPI						
Rent (52 Weeks)	99.38	101.07	103.6	106.5	109.48	112.55
Rent (48 Weeks)	107.66	109.49	112.23	115.37	118.6	121.92
% Increase		1.70%	2.50%	2.80%	2.80%	2.80%
Reduced Rent compared to Option 1		226,470	347,410	403,720	462,710	524,490
		5 year impact				1,964,800
Option 3: No increase						
Rent (52 Weeks)	99.38	99.38	99.38	99.38	99.38	99.38
Rent (48 Weeks)	107.66	107.66	107.66	107.66	107.66	107.66
% Increase		0.00%	0.00%	0.00%	0.00%	0.00%
Reduced Rent compared to Option 1		611,470	1,305,400	2,016,040	2,743,820	3,489,220
		5 year impact				10,165,950

*The figures above **exclude** the proposed Policy Changes for 2025/26 onwards

As part of the October 2024 Budget the Government announced it is consulting on a five-year social housing rent settlement of CPI + 1%; changes in the Right to Buy scheme and that councils will be able to keep 100% of receipts.

Corporate Capital Strategy

The Council has an ongoing capital programme of over £43m for 2024/25 and an asset base valued at £279m (as at 31st March 2024).

The strategy sets out the Council's approach to capital investment and the approach that will be followed in making decisions in respect of the Council's Capital assets.

Capital investment is an important ingredient in ensuring the Council's vision is achieved and given that capital resources are limited it is critical that the Council makes best use of these resources.

This Strategy sets the policy framework for the development, management and monitoring of this investment and forms a key component of the Council's planning alongside the Medium Term Financial Strategy.

The Capital Strategy will:

- Reflect Members' priorities as set out in the Corporate Plan;
- Balance the need to maintain the Council's existing asset base against its future ambition and associated long term asset needs and consolidate assets where appropriate;
- Recognise that growth is the strategic driver for financial self-sufficiency;
- Be affordable in the context of the Council's MTFS;
- Seek to ensure value for money through achieving a return on investment or by supporting service efficiency and effectiveness;
- Be flexible to respond to evolving service delivery needs;
- Seek to maximise investment levels through the leveraging of external investment;
- Recognise the value of assets for delivering long-term growth as opposed to being sold to finance capital expenditure;
- Recognise the financial benefits and risks from growth generated through investment to support investment decisions; and
- Reflect the service delivery costs associated with growth when assessing the level of resources available for prudential borrowing.

The capital strategy feeds into the annual revenue budget and MTFS by informing the revenue implications of capital funding decisions. The implications for the MTFS are fully considered before any capital funding decisions are confirmed.

Equally, the availability of prudential borrowing means that capital and revenue solutions to service delivery can be considered, and ranked, alongside each other as part of an integrated revenue and capital financial strategy.

The Capital Strategy further sets out the Council's approach to the allocation of its capital resources and how this links to its priorities at a corporate and service level. It describes how the Council has responded to the opportunities provided by prudential borrowing and other new sources of finance.

All proposed schemes requiring capital investment should have as a minimum the following information:

- A description of the scheme;
- The estimated financial implications, both capital and revenue;
- The expected outputs, outcomes and contribution to corporate objectives;
- The nature and outcome of consultation with stakeholders and customers (as applicable);
- Any impacts on efficiency and value for money;
- Risk assessment implications and potential mitigations; and
- Any urgency considerations (e.g. statutory requirements or health and safety issues).

All capital bids should be prepared in light of the following list of criteria, and the proposed investment should address and be assessed with regard to:

- **the contribution its delivery makes towards the achievement of the Council's Corporate Priorities;**
- **the achievement of Government priorities and grant or other funding availability;**
- the benefits in terms of the contribution to the Council's Corporate Objectives and compliance with the Corporate Capital Strategy requirements of:
 1. Invest to save
 2. Maintenance of services and assets
 3. Protection of income streams
 4. Avoidance of cost.

The current de-minimis for capital expenditure is £10k per capital scheme.

It is important that capital investment decisions are not made in isolation and instead are considered in the round through the annual budget setting process.

Corporate Management Team and Service Managers identify the potential need for capital investment. This will take account of issues including the condition of council owned assets (including reference to the Council's Asset Management Strategy and Plans), health and safety requirements, statutory obligations of the Council, operational considerations and emerging opportunities for investment including possible sources of external financing.

Corporate Management Team (CMT) review capital bids prior to consideration by Members. Once capital bids have been prioritised, Executive Management Team will review the outcome of the deliberations of CMT and will make recommendations to Cabinet through an updated Medium Term Financial Strategy (MTFS) report on a proposed budget package which will include capital budget proposals.

The MTFS report (including capital budget proposals) will ultimately be considered by Budget Setting Council each year.

Following a review of the Capital Programme approved by Council on 27th February 2024, a revised programme has been formulated including additional schemes which have been put forward for inclusion.

A schedule of the capital scheme appraisals for the General Fund (GF) & Housing Revenue Account (HRA) received for consideration is attached at **Appendix I – General Fund Services (GF) and Appendix J – Housing (HRA)**, together with the likely available sources of funding (capital receipts / grants / supported borrowing etc).

A significant number of new or amended schemes have been proposed and the forecast highlights that insufficient resources are available to finance all of the schemes submitted.

The forecast highlights that insufficient resources are available to finance all of the GF schemes submitted. The minimum approved level of GF capital balances is £0.5million and, should the programme progress without amendment, this would mean a £4.0m shortfall over the next 5 years (£3.1m over 3 years) which would have to be funded from revenue and makes the revenue shortfall worse. **Consideration should be given to areas where spend can be reduced.**

There has been an increase of £4.5m over 5 years since the provisional programme was approved (including new year 5 costs of £1.2m). The current GF Capital Financing Requirement (CFR) stands at £7.029m with planned borrowing in 2024/25 of £3m.

There are some significant changes in the Housing capital programme from that provisionally approved with additional funding required for a number of schemes and new year 5 costs for 2029/30.

Work is progressing on the updated forecast resources but given the significant changes in spend over the 5 years of £19.7m (£9.7m in year 5) then there will be a significant funding gap for the HRA capital programme. **Consideration should be given to areas where spend can be reduced.**

It should be noted that there are no debt repayment costs for the HRA and the Government has now lifted the previous debt cap (of £79.407m). The current HRA Capital Financing Requirement (CFR) stands at £72.16m with planned borrowing in 2024/25 of £1.7m. However it should be noted that the additional borrowing associated with unsupported costs will mean higher debt interest costs for the HRA.

With regard to the contingency schemes/allocation **£2.4m** remains in current year contingency funds (£2.3m GF/ £0.1m HRA - which will be re-profiled into 2025/26 to provide General Contingency funding) rising to £4.1m over the five years.

To inform discussions, the proposals have been reviewed by the Corporate Management Team with initial comments & suggestions for each of the schemes outlined below.

General Fund

1) Food Waste Caddies and Vehicles

Project score 0

Description of project

National requirement to introduce weekly food waste services to households. New Burdens funding has been provided for the procurement of food waste caddies and vehicles associated with this. Further Phase 2 and 3 new burdens funds is anticipated but timescale and value of this is yet to be confirmed by the government.

2) Tamworth Castle Structural Repairs (Contingency)

Project Score: 32

In December 2023 Tamworth Castle was placed on the Heritage at Risk Register. The project will tackle the highest priority structural repairs reflected in the updated condition report (Donald Insall 2024). The works consist of repairs to the internal and external masonry, timber structure, plaster work, leaded light windows, cast iron rainwater goods, lead gutters and roofs. There are also below ground drainage works proposed and some accessibility improvements to meet legal requirements.

Project forms part of match funding for proposed grant application. Grant funding has been applied for and the capital bid is therefore contingency should this be unsuccessful. A further £190K in matchfunding is already ringfenced via a previous capital bid. Total value of the project £1,906,933. Capital bid request is £1,716,238

3) Capital works required to General Fund Assets

Project Score: 36

Delivery of planned investment works in line with updated HRA Business plan. To deliver a planned program of improvements to the Housing Property portfolio ensuring that properties meet the Decent Homes Standard and remain fit for occupation. There is a need for the authority to remain compliant and therefore the compliance works are mandatory.

£96.8k Refurbishment of Walkways at Caledonian and
£73.9k Refurbishment Walkways at Ellerbeck

4) Energy efficiency works to Commercial and Industrial units

Project Score: 4

Energy efficiency improvement works to commercial and industrial property to ensure that properties meet the required energy performance standards for relet. This is a budget that is spend on an ad-hoc basis as and when units that fail to meet the required standards become void.

5) Disabled Facilities Grants (DFG)

Project Score: 24

£800k pa increasing by inflation each year

The provisional program included £650k p.a. part funded by redistributed Better Care Fund (BCF) grant of £547k.

The provisional capital program has been reviewed – updated appraisal forms are still awaited for the following schemes:

6) Technology Improvement/Replacement (Replacement PCs, Servers & Printers)

Project Score: 12 (2024/25)

The provisional program included £60k p.a. years 1-4

Revised Appraisal received after ASSG increase to £100k in 2025/26 and to £60k thereafter

7) Endpoint Protection and Web-Email Filter

Project Score: 60 (2024/25)

The provisional program included £40k year 1 only

8) AI and Automation

Project Score: 48

Revised Appraisal received after ASSG to introduce new project £20k in 2025/26 only

9) Street Lighting

The provisional program included £50,960 in 2025/26

No further requirements for 2026/27 through to 2029/30 as per rolling program

10) Play Area Refurbishment

Project Score: 12 (2024/25)

The provisional program included £50k p.a. years 1-3

Looking for an increased budget to £75k across all five years

11) Balancing ponds and sustainable drainage systems

Project Score: 63 (2024/25)

The provisional program included £300k 2025/26, £220k 2026/27 and £80k in 2028/29

Propose a further £100k 2029/30 in line with current lifetime program

A 30 year rolling program of works was approved for inclusion in the capital program, for the 8 ponds at Stonydelph, Belgrave, Lakeside, Peelers Way.

Part funded by existing reserves of £604k, and capital receipts of £328k

12) CCTV Upgrades

The provisional program included £45.71k p.a. years 1 & 2

13) General Fund Capital Contingency Budget

The remaining 2024/25 contingency budget totaling £2.250m will be rolled forward to 2025/26.

14) Anker Valley Changing Rooms (Contingency)

Project Score:

Contingency budget as may be an opportunity to attract match funding at short notice.

Housing Revenue Account

1) Council House Adaptations

Project Score 36

Delivery of planned investment works in line with updated HRA Business plan. To deliver a planned program of improvements to the Housing Property portfolio ensuring that properties meet the Decent Homes Standard and remain fit for occupation. There is a need for the authority to remain compliant and therefore the compliance works are mandatory.

Structural Works (ad-hoc)

Bathroom Renewals

Heating Upgrades

Kitchen Renewals

Major Roofing Work

Windows & Doors

Neighbourhood Regeneration Works

Disabled Adaptations

Lift Renewals

Electrical upgrade works include CO and Smoke Detector renewals

Works to sheltered schemes

Damp and Mould related works

Lift Renewals

Regeneration and Affordable Housing Growth

Insulation and Net Zero related works

Fire risk mitigation works for work arising from FRA

Improvements to communal areas of blocks

High-Rise Parapet, structural, roofing and ventilation works

Works to Eringden Block

Walkways at Caledonian

Walkways at Ellerbeck

Walkways at Magnolia

2) Install Fire Doors High Rise

The provisional program included £404,800 in years 1- 3

3) Capital Salaries

The provisional program included £200k p.a but will need to be revisited

Increased to £400k to cover increased recharges

4) Street Lighting

The provisional program included £76,440 in 2025/26

No further requirements for 2026/27 through to 2029/30 as per rolling program

Main Assumptions

Inflationary Factors	2025/26	2026/27	2027/28	2028/29	2029/30
Inflation Rate – Pay Awards	2.50%	2.50%	2.50%	2.50%	2.50%
National Insurance	10.00%	10.00%	10.00%	10.00%	10.00%
Superannuation	22.10%	22.10%	22.10%	22.10%	22.10%
Inflation Rate (RPI)	2.50%	2.50%	2.80%	2.80%	2.80%
Inflation Rate (CPI)	2.50%	2.50%	2.80%	2.80%	2.80%
Investment income rate	4.00%	3.00%	2.50%	2.50%	2.50%
Base Interest Rates	4.50%	3.50%	3.00%	3.00%	3.00%
NNDR increase	2.00%	2.00%	2.00%	2.00%	2.00%
Assumed Council Tax Increase %	2.95%	2.95%	2.95%	2.95%	2.95%

1. Local Government pay for 2024/25 was agreed in October 2024 which saw an increase of £1,290 on all pay points up to and including SCP43, with a 2.5% increase for all pay above this point. Future years remain uncertain, but a 2.5% p.a. increase has been assumed for 2025/26 and future years.
2. Overall, Fees and Charges will rise generally by 2.5% in 2025/26 (2.5% p.a. thereafter) except where a proposal has otherwise been made (car parking charges, corporate & industrial property rental income, statutory set planning fees, leisure fees);
3. Revised estimates for rent allowance / rent rebate subsidy levels have been included;
4. At this stage no changes to the level of recharges between funds has been included;
5. Revenue Support Grant of £322,012 will increase annually by inflation from 2024/25, following the deferral of the funding reforms. The impact for the Council will be confirmed by MHCLG as part of the *Local Government Finance Settlement* with a provisional announcement in December 2024;
6. The New Homes Bonus scheme ends pending consultation on the future of the scheme;
7. An increase of 2.95% p.a. in Council Tax - current indications are that increases of 3% or £5 and above risk 'capping' (£5 for District Councils for 2023/24 was confirmed);
8. The major changes to the previously approved policy changes are included within this forecast – Assistant Directors were issued with the provisional information in August to review, confirm & resubmit by the end of September;
9. Future Pension contribution levels – following an option to 'freeze' the 'lump sum' element for the 3 years from 2023/24 (after the triennial review during 2022), with a further freeze to 2025/26 followed by 1% p.a. year on year increases included from 2026/27;
10. Given the current level of CPI of 1.7% (September 2024), the budgeted rent increase for 2025/26 will be 2.7% in line with the maximum allowed by the Government's Rent Standard (that social housing rents can increase to include 'up to' a factor of the consumer price index (CPI) measure of inflation (for

September of the preceding year) plus 1%. This has been the case since 2020, and we have assumed that this will continue for 2025/26;

11. Forecasts have been informed by the Bank of England Inflation report (August 2024), HM Treasury – Forecasts for the UK Economy (August 2024)). Any significant variances will be considered later in the budget setting process.

Technical Adjustments Analysis – General Fund 2025/26

() denotes saving

<u>Director</u>	<u>Data Type</u>	<u>Narative</u>	£	£	£
Chief Executive					
	Virements			-	
	Committee Decisions				
		2024/25 Policy Change CE 1 Realignment of Salaries Budgets following latest Pay Award	(6,490)	(6,490)	
	Inflation			(530)	
	Other				
		2025/26 BWP 002 Salaries	(1,020)		
		2025/26 BWP 033 Car Allowance	40		
		2025/26 BWP 038 Insurance Budgets	150		
		2025/26 BWP 040 Home Working Allowances on General Fund	1,710	880	
	Pay Adjustments			9,070	
	Changes in Recharges			-	
					2,930
Assistant Director Growth and Regeneration					
	Virements			-	
	Committee Decisions				
		2023/24 Policy Change G&R 1 Senior Licensing Officer Post made Permanent	3,000		
		2023/24 Policy Change G&R 1 Additional funding from Community Safety Grant and additional income	(3,000)		
		2023/24 Policy Change G&R 2 Additional post for Net Zero Work Stream	5,900		
		2024/25 Policy Change G&R 3 Operational Budgets for the Flex Building	(11,930)		
		2024/25 Policy Change G&R 5 Realignment of Salaries Budgets following latest Pay Award	(33,010)	(39,040)	
	Inflation			(3,680)	
	Other				
		2025/26 BWP 002 Salaries	(5,210)		
		2025/26 BWP 003 Depreciation	2,980		
		2025/26 BWP 009 Bank Charges and Cash Security	(4,220)		
		2025/26 BWP 019 TBC NNDR Properties	(70,460)		
		2025/26 BWP 021 Gas and Electricity Charges	(9,020)		
		2025/26 BWP 029 Income Budget	25,000		
		2025/26 BWP 033 Car Allowance	(5,750)		
		2025/26 BWP 038 Insurance Budgets	7,740		
		2025/26 BWP 040 Home Working Allowances on General Fund	8,040		
		2025/26 BWP 042 Water Charges	(3,480)	(54,380)	
	Pay Adjustments			71,490	
	Changes in Recharges			-	

(25,610)

Executive Director Organisation

Virements		-
Committee Decisions		
2024/25 Policy Change OR 1 Realignment of Salaries Budgets following latest Pay Award	(5,880)	(5,880)
Inflation		15,180
Other		
2025/26 BWP 002 Salaries	(920)	
2025/26 BWP 004 Members Allowances	(10,260)	
2025/26 BWP 024 Mayoral Allowances	(410)	
2025/26 BWP 025 Land Charges	(40,700)	
2025/26 BWP 026 Conveyancing and Right To Buy	8,500	
2025/26 BWP 033 Car Allowance	(310)	
2025/26 BWP 038 Insurance Budgets	1,120	
2025/26 BWP 040 Home Working Allowances on General Fund	990	(41,990)
Pay Adjustments		14,370
Changes in Recharges		-
		<u>(18,320)</u>

Assistant Director People

Virements		-
Committee Decisions		
2021/22 Policy Change A&G 1 Elections	56,950	
2022/23 Policy Change PE 1 Increase in Long Service Awards Budgets	(3,840)	
2024/25 Policy Change PE 3 Additional Marketing Funds for Christmas and Aethelfest	(17,800)	
2024/25 Policy Change PE 11 Software Licence for Modern Democracy System	(7,700)	
2024/25 Policy Change PE 13 Realignment of Salaries Budgets following latest Pay Award	(38,610)	(11,000)
Inflation		23,520
Other		
2024/25 BWP 023 Healthshield Staff Health Insurance	430	
2025/26 BWP 002 Salaries	(17,400)	
2025/26 BWP 003 Depreciation	22,680	
2025/26 BWP 009 Bank Charges and Cash Security	160	
2025/26 BWP 019 TBC NNDR Properties	330	
2025/26 BWP 021 Gas and Electricity Charges	30	
2025/26 BWP 033 Car Allowance	(20)	
2025/26 BWP 035 Healthshield Staff Insurance		
2025/26 BWP 038 Insurance Budgets	1,130	
2025/26 BWP 040 Home Working Allowances on General Fund	10,660	18,000
Pay Adjustments		73,190
Changes in Recharges		-
		<u>103,710</u>

Assistant Director Environment, Culture and Wellbeing

Virements		-
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Committee Decisions		
Cabinet 09/09/21 Dry Recycling Update	2,000	
Cabinet 01/02/24 Review of Council Grants	(15,000)	
2024/25 Policy Change OP 1 Realignment of Salaries Budgets following latest Pay Award	<u>(52,660)</u>	(65,660)
Inflation		(10,930)
Other		
2024/25 BWP 040 Bad Debt Provision	51,400	
2025/26 BWP 002 Salaries	(32,260)	
2025/26 BWP 003 Depreciation	23,170	
2025/26 BWP 009 Bank Charges and Cash Security	5,050	
2025/26 BWP 019 TBC NNDR Properties	(2,260)	
2025/26 BWP 021 Gas and Electricity Charges	(1,130)	
2025/26 BWP 029 Income Budget	4,700	
2025/26 BWP 033 Car Allowance	(2,360)	
2025/26 BWP 038 Insurance Budgets	28,770	
2025/26 BWP 040 Home Working Allowances on General Fund	2,130	
2025/26 BWP 042 Water Charges	<u>4,860</u>	82,070
Pay Adjustments		249,400
Changes in Recharges		-
		<u><u>254,880</u></u>

Executive Director Finance

Virements		
		-
Committee Decisions		
2024/25 Policy Change ED1 Realignment of Salaries Budgets following latest Pay Award	<u>(2,440)</u>	(2,440)
Inflation		60
Other		
2025/26 BWP 002 Salaries	(380)	
2025/26 BWP 009 Bank Charges and Cash Security	(20)	
2025/26 BWP 033 Car Allowance	(450)	
2025/26 BWP 038 Insurance Budgets	(60)	
2025/26 BWP 040 Home Working Allowances on General Fund	<u>320</u>	(590)
Pay Adjustments		5,060
Changes in Recharges		-
		<u><u>2,090</u></u>

Assistant Director Finance

Virements		
		-
Committee Decisions		
2022/23 Policy Change FIN 6 Revenue Implications of Capital Programme	2,000	
2023/24 Policy Change FIN 10 Business Rates Relief Section 31 Grants Recalculation	2,535,590	
2023/24 Policy Change FIN 11 Local Government Service Grant	94,580	
2023/24 Policy Change FIN 12 Revenue Implications of Capital Programme	9,600	
2023/24 Policy Change FIN 8 Business Rates Levy Recalculation	(1,506,860)	
2023/24 Policy Change FIN 9 Lower Tier Grant Funding	636,380	

2023/24 Policy Change HRA 3 Item 8 Charge to HRA recalculated	34,170	
2024/25 Policy Change FIN 2 Local Government Service Grant	(79,580)	
2024/25 Policy Change FIN 3 New Homes Bonus Additional Year	503,000	
2024/25 Policy Change FIN 4 Realignment of Salaries Budgets following latest Pay Award	(33,890)	
2024/25 Policy Change FIN 5 Lower Tier Funding Guarantee Grant	(8,380)	
2024/25 Policy Change FIN 6 Business Rates Levy Recalculation	(125,000)	
2024/25 Policy Change FIN 7 Business Rates Relief Section 31 Grants Recalculation	181,410	
2024/25 Policy Change FIN 8 Deferred Reset Business Rates Levy Payment	1,631,860	
2024/25 Policy Change FIN 9 Deferred Reset Business Rates Relief S31 Grant	(2,717,000)	
2024/25 Policy Change FIN 10 Transfer from Business Rates Equalisation Reserve	500,000	
2024/25 Policy Change FIN 11 Revenue Impact of Capital Program Repayment of Debt	8,100	
2024/25 Policy Change FIN 12 Revenue Impact of Capital Program Increased Item 8 Recharge to HRA	<u>(19,900)</u>	1,646,080
Inflation		5,530
Other		
2024/25 BWP 031 Pensions Lump Sum Freeze for 3 years	13,780	
2025/26 BWP 002 Salaries	(7,850)	
2025/26 BWP 003 Depreciation	(32,150)	
2025/26 BWP 005 Audit Fee	(65,440)	
2025/26 BWP 006 Superannuation Allowances	3,110	
2025/26 BWP 009 Bank Charges and Cash Security	(750)	
2025/26 BWP 018 Cost of Collection	(4,780)	
2025/26 BWP 020 Revenue Court Costs Income	(5,000)	
2025/26 BWP 023 Benefits Estimates	(5,350)	
2025/26 BWP 029 Income Budget	(3,010)	
2025/26 BWP 033 Car Allowance	(2,490)	
2025/26 BWP 034 Treasury Management	535,870	
2025/26 BWP 038 Insurance Budgets	1,280	
2025/26 BWP 040 Home Working Allowances on General Fund	11,460	
2025/26 BWP 043 Apprenticeship Levy	<u>4,510</u>	443,190
Pay Adjustments		82,420
Changes in Recharges		-
		<u><u>2,177,220</u></u>
Executive Director Communities		
Virements		-
Committee Decisions		-
Inflation		-
Other		-
Pay Adjustments		-
Changes in Recharges		-
		<u><u>-</u></u>

Assistant Director Assets

Virements		-
Committee Decisions		
Appointment and Staffing 12/09/2024 Adaptations Restructure	23,580	
2024/25 Policy Change AST 3 Realignment of Salaries Budgets following latest Pay Award	<u>(9,240)</u>	14,340
Inflation		19,510
Other		
2025/26 BWP 002 Salaries	(4,200)	
2025/26 BWP 003 Depreciation	(17,460)	
2025/26 BWP 007 Community Centres Income	(1,080)	
2025/26 BWP 008 Commercial & Industrial Rents Income	(16,870)	
2025/26 BWP 019 TBC NNDR Properties	(23,650)	
2025/26 BWP 021 Gas and Electricity Charges	(19,290)	
2025/26 BWP 033 Car Allowance	1,980	
2025/26 BWP 038 Insurance Budgets	(3,380)	
2025/26 BWP 040 Home Working Allowances on General Fund	(66,910)	
2025/26 BWP 042 Water Charges	<u>3,910</u>	(146,950)
Pay Adjustments		67,870
Changes in Recharges		-
		<u><u>(45,230)</u></u>

Assistant Director Neighbourhoods

Virements		(1,740)
Committee Decisions		
2024/25 Policy Change NEI 1 Realignment of Salaries Budgets following latest Pay Award	<u>(9,150)</u>	(9,150)
Inflation		6,200
Other		
2025/26 BWP 002 Salaries	(1,450)	
2025/26 BWP 003 Depreciation	780	
2025/26 BWP 011 Alarm Call Contract	(10)	
2025/26 BWP 012 Housing Bad Debt Provisions	10,350	
2025/26 BWP 021 Gas and Electricity Charges	(180)	
2025/26 BWP 033 Car Allowance	(330)	
2025/26 BWP 038 Insurance Budgets	(990)	
2025/26 BWP 040 Home Working Allowances on General Fund	1,240	
2025/26 BWP 041 Bed and Breakfast Cost and Income	<u>184,390</u>	193,800
Pay Adjustments		18,890
Changes in Recharges		-
		<u><u>208,000</u></u>

Assistant Director Partnerships

Virements		1,740
Committee Decisions		
Cabinet 01/02/24 Review of Council Grants	15,000	
2024/25 Policy Change PAR 2 Realignment of Salaries Budgets following latest Pay Award	(17,160)	
2024/25 Policy Change PAR 3 Staffordshire 3 Memorial	<u>(10,000)</u>	(12,160)

Inflation		(3,360)
Other		
2025/26 BWP 002 Salaries	(2,720)	
2025/26 BWP 009 Bank Charges and Cash Security	(20)	
2025/26 BWP 011 Alarm Call Contract	100	
2025/26 BWP 033 Car Allowance	(2,380)	
2025/26 BWP 038 Insurance Budgets	(70)	
2025/26 BWP 040 Home Working Allowances on General Fund	<u>5,400</u>	310
Pay Adjustments		40,930
Changes in Recharges		-
		<hr/>
		<u>27,460</u>

Technical Adjustments Analysis – Housing Revenue Account 2025/26

() denotes saving

<u>Director</u>	<u>Data Type</u>	<u>Narrative</u>	£	£	£
Housing Revenue Account Summary					
	Virements			-	
	Committee Decisions				
		2023/24 Policy Change HRA 1 Rent Cap Recalculation	64,240		
		2023/24 Policy Change HRA 3 Item 8 Debit Recalculation	15,830		
		2024/25 Policy Change HRA 2 Revenue Impact of Capital Program Increased Item 8 Recharge	<u>19,900</u>	99,970	
	Inflation			156,440	
	Other				
		2024/25 BWP 031 Pensions Lump Sum Freeze for 3 years	4,220		
		2025/26 BWP 003 Depreciation	(22,030)		
		2025/26 BWP 010 Garage Rent	33,310		
		2025/26 BWP 012 Housing Bad Debt Provisions	(53,700)		
		2025/26 BWP 014 HRA Service Charges	10,420		
		2025/26 BWP 016 Housing Rent	(132,560)		
		2025/26 BWP 034 Treasury Management	(122,460)		
		2025/26 BWP 043 Apprenticeship Levy	<u>1,770</u>	(281,030)	
	Pay Adjustments			-	
	Changes in Recharges			-	
					<u><u>(24,620)</u></u>
Executive Director Communities					
	Virements			-	
	Committee Decisions				
		2024/25 Policy Change HENV 1 Realignment of Salaries Budgets following latest Pay Award	<u>(2,440)</u>	(2,440)	
	Inflation			60	
	Other				
		2025/26 BWP 002 Salaries	(380)		
		2025/26 BWP 033 Car Allowance	(70)		
		2025/26 BWP 038 Insurance Budgets	<u>(60)</u>	(510)	
	Pay Adjustments			10,090	
	Changes in Recharges			-	
					<u><u>7,200</u></u>
Assistant Director People					
	Virements			-	
	Committee Decisions				
		2024/25 Policy Change HPEO 1 Realignment of Salaries Budgets following latest Pay Award	<u>(2,720)</u>	(2,720)	
	Inflation			210	
	Other				

2025/26 BWP 002 Salaries	(3,150)	
2025/26 BWP 038 Insurance Budgets	30	(3,120)
Pay Adjustments		10,410
Changes in Recharges		-
		<u>4,780</u>

Assistant Director Environment, Culture & Wellbeing

Virements		-
Committee Decisions		
2024/25 Policy Change HOPS 1 Realignment of Salaries Budgets following latest Pay Award	(5,590)	(5,590)
Inflation		1,540
Other		
2025/26 BWP 002 Salaries	(890)	
2025/26 BWP 021 Gas and Electricity Charges	(1,140)	
2025/26 BWP 033 Car Allowance	470	
2025/26 BWP 038 Insurance Budgets	440	
2025/26 BWP 042 Water Charges	150	(970)
Pay Adjustments		22,750
Changes in Recharges		-
		<u>17,730</u>

AD Assets

Virements		-
Committee Decisions		
2024/25 Policy Change HASS1 Reduction in use of Temporary Cleaners	(40,000)	
2024/25 Policy Change HASS 6 Realignment of Salaries Budgets following latest Pay Award	(18,720)	(58,720)
Inflation		3,950
Other		
2025/26 BWP 002 Salaries	(8,300)	
2025/26 BWP 011 Alarm Call Contract	60	
2025/26 BWP 021 Gas and Electricity Charges	1,200	
2025/26 BWP 033 Car Allowance	(1,280)	
2025/26 BWP 038 Insurance Budgets	820	
2025/26 BWP 042 Water Charges	(720)	(8,220)
Pay Adjustments		43,270
Changes in Recharges		-
		<u>(19,720)</u>

Assistant Director Neighbourhoods

Virements		-
Committee Decisions		
2023/24 Policy Change HNEI 5 Remove additional funding for Self Assessment Programme	(100,000)	
2023/24 Policy Change HASS 1 Remove additional funding for Stock Condition Survey	(20,000)	
2023/24 Policy Change HNEI 4 Remove additional funding for Temp Housing Solutions Advisor post	(46,250)	
2024/25 Policy Change HNEI 1 Remove Extended Resident Support Worker Post	(41,430)	

	2024/25 Policy Change HNEI 2 Realignment of Salaries Budgets following latest Pay Award	<u>(44,120)</u>	(251,800)
Inflation			39,540
Other			
	2025/26 BWP 002 Salaries	(9,560)	
	2025/26 BWP 003 Depreciation	1,000	
	2025/26 BWP 005 Audit Fee	(10,940)	
	2025/26 BWP 006 Superannuation Allowances	170	
	2025/26 BWP 009 Bank Charges and Cash Security	720	
	2025/26 BWP 011 Alarm Call Contract	(4,890)	
	2025/26 BWP 013 HRA Sheltered Housing Heating Recharges	84,870	
	2025/26 BWP 014 HRA Service Charges	(9,480)	
	2025/26 BWP 015 Enhanced Housing Management Charges	(21,660)	
	2025/26 BWP 016 Housing Rent	(10,270)	
	2025/26 BWP 019 TBC NNDR Properties	350	
	2025/26 BWP 021 Gas and Electricity Charges	(43,240)	
	2025/26 BWP 033 Car Allowance	(110)	
	2025/26 BWP 035 Staff Health Insurance	(590)	
	2025/26 BWP 038 Insurance Budgets	46,060	
	2025/26 BWP 042 Water Charges	<u>12,390</u>	34,820
Pay Adjustments			280,340
Changes in Recharges			-
			<u><u>102,900</u></u>
Housing Repairs			
	Virements		-
	Committee Decisions	-	-
	Inflation		-
	Other	-	-
	Pay Adjustments		-
	Changes in Recharges		-
			<u><u>-</u></u>

General Fund – Technical Adjustments 2025/26

		Technical Adjustments								
		Budget 2024/25	Virements £	Committee Decisions £	Inflation £	Other £	Pay Adjustments £	Changes in Recharges £	Total Adjustments £	Total Adjusted Base 2025/26
Chief Executive	GCEXE	270,450	-	(6,490)	(530)	880	9,070	-	2,930	273,380
AD Growth & Regeneration	GGROW	662,250	-	(39,040)	(3,680)	(54,380)	71,490	-	(25,610)	636,640
ED Organisation	GACE	688,890	-	(5,880)	15,180	(41,990)	14,370	-	(18,320)	670,570
AD People	GPEO	2,782,780	-	(11,000)	23,520	18,000	73,190	-	103,710	2,886,490
AD Env, Cult & Wellbeing	GOPSL	5,758,020	-	(65,660)	(10,930)	82,070	249,400	-	254,880	6,012,900
ED Finance	GDIRF	93,320	-	(2,440)	60	(590)	5,060	-	2,090	95,410
AD Finance	GFIN	(3,983,880)	-	1,646,080	5,530	443,190	82,420	-	2,177,220	(1,806,660)
ED Communities	GCENV	-	-	-	-	-	-	-	-	-
AD Assets	GASS	46,950	-	14,340	19,510	(146,950)	67,870	-	(45,230)	1,720
AD Neighbourhoods	GNEI	813,030	(1,740)	(9,150)	6,200	193,800	18,890	-	208,000	1,021,030
AD Partnerships	GPAR	1,051,280	1,740	(12,160)	(3,360)	310	40,930	-	27,460	1,078,740
Grand Total		8,183,090	-	1,508,600	51,500	494,340	632,690	-	2,687,130	10,870,220

*The figures above **exclude** the proposed Policy Changes for 2025/26 onwards

Housing Revenue Account – Technical Adjustments 2025/26

		Technical Adjustments								
		Budget 2024/25	Virements £	Committee Decisions £	Inflation £	Other £	Pay Adjustments £	Changes in Recharges £	Total Adjustments £	Total Adjusted Base 2025/26
HRA Summary	HR5001	(6,218,000)	-	99,970	156,440	(281,030)	-	-	(24,620)	(6,242,620)
ED Communities	HR1100	28,960	-	(2,440)	60	(510)	10,090	-	7,200	36,160
AD People	HPEO	297,270	-	(2,720)	210	(3,120)	10,410	-	4,780	302,050
AD Env, Cult & Wellbeing	HOPSL	419,370	-	(5,590)	1,540	(970)	22,750	-	17,730	437,100
AD Assets	HASS	223,510	-	(58,720)	3,950	(8,220)	43,270	-	(19,720)	203,790
AD Neighbourhoods	HNEI	4,195,090	-	(251,800)	39,540	34,820	280,340	-	102,900	4,297,990
Housing Repairs	HS	-	-	-	-	-	-	-	-	-
Grand Total		(1,053,800)	-	(221,300)	201,740	(259,030)	366,860	-	88,270	(965,530)

*The figures above **exclude** the proposed Policy Changes for 2025/26 onwards

General Fund Summary Budgets – 2025/26

<i>Figures exclude internal recharges which have no bottom line impact.</i>	Base Budget 2024/25 £	Technical Adjustments £	Policy Changes £	Budget 2025/26 £
Chief Executive	270,450	2,930	-	273,380
AD Growth & Regeneration	662,250	(25,610)	177,000	813,640
ED Organisation	688,890	(18,320)	60,170	730,740
AD People	2,782,780	103,710	(540)	2,885,950
AD Env, Culture & Wellbeing	5,758,020	254,880	256,000	6,268,900
ED Finance	93,320	2,090	-	95,410
AD Finance	(3,983,880)	2,177,220	-	(1,806,660)
ED Communities	-	-	-	-
AD Assets	46,950	(45,230)	243,000	244,720
AD Neighbourhoods	813,030	208,000	-	1,021,030
AD Partnerships	1,051,280	27,460	67,380	1,146,120
Total Cost of Services	8,183,090	2,687,130	803,010	11,673,230
Transfer from Business Rates Reserve	-	-	-	-
Net Cost	8,183,090	2,687,130	803,010	11,673,230
Transfer to / (from) Balances	(1,134,859)	(2,195,506)		(3,330,365)
Collection Fund Surplus (Council Tax)	(27,070)	-		(27,070)
Collection Fund Surplus (Business Rates)	1,151,630	(1,151,630)		-
Revenue Support Grant	(322,012)	(6,440)	-	(328,452)
Business Rates S.31 Grants	-	-	-	-
Business Rates Levy	-	-	-	-
Retained Business Rates	(14,264,548)	(1,142,534)	-	(15,407,082)
Tariff Payable	11,172,962	1,188,111	-	12,361,073
Council Tax Requirement	(4,759,193)	620,869	(803,010)	(4,941,334)

*The figures above **include** the proposed Policy Changes for 2025/26 onwards.

General Fund Summary Budgets – 2024/25 to 2029/30

<i>Figures exclude internal recharges which have no bottom line impact.</i>	Base Budget 2024/25	Budget 2025/26	Budget 2026/27	Budget 2027/28	Budget 2028/29	Budget 2029/30
	£	£	£	£	£	£
Chief Executive	270,450	273,380	281,510	289,360	297,390	305,290
AD Growth & Regeneration	662,250	813,640	827,900	789,090	827,370	862,720
ED Organisation	688,890	730,740	755,500	784,390	814,850	838,720
AD People	2,782,780	2,885,950	3,130,670	3,189,040	3,179,170	3,170,700
AD Env, Culture & Wellbeing	5,758,020	6,268,900	6,270,680	6,137,030	6,184,820	6,244,730
ED Finance	93,320	95,410	97,970	100,590	103,260	105,990
AD Finance	(3,983,880)	(1,806,660)	299,400	579,960	656,170	855,660
ED Communities	-	-	-	-	-	-
AD Assets	46,950	244,720	136,060	169,580	202,650	234,880
AD Neighbourhoods	813,030	1,021,030	1,046,600	1,073,320	1,101,350	1,129,980
AD Partnerships	1,051,280	1,146,120	1,195,810	1,213,680	1,232,250	1,251,450
Total Cost of Services	8,183,090	11,673,230	14,042,100	14,326,040	14,599,280	15,000,120
Transfer from Business Rates Reserve	-	-	-	-	-	-
Net Cost of Services	8,183,090	11,673,230	14,042,100	14,326,040	14,599,280	15,000,120
Transfer to / (from) Balances	(1,134,859)	(3,330,365)	(5,973,316)	(6,003,395)	(6,014,705)	(6,144,923)
Collection Fund Surplus (Council Tax)	(27,070)	(27,070)	(27,070)	(27,070)	(27,070)	(27,070)
Collection Fund Deficit (Business Rates)	1,151,630	-	-	-	-	-
Revenue Support Grant	(322,012)	(328,452)	(335,021)	(341,722)	(348,556)	(355,527)
Retained Business Rates	(14,264,548)	(15,407,082)	(15,715,224)	(16,029,528)	(16,350,119)	(16,677,121)
Tariff Payable	11,172,962	12,361,073	13,138,695	13,401,468	13,669,498	13,942,888
Council Tax Requirement	(4,759,193)	(4,941,334)	(5,130,164)	(5,325,793)	(5,528,328)	(5,738,367)

*The figures above include the proposed Policy Changes for 2025/26 onwards

Housing Revenue Account 2024/25 to 2029/30

<i>Figures exclude internal recharges which have no bottom line impact.</i>	Base Budget 2024/25	Budget 2025/26	Budget 2026/27	Budget 2027/28	Budget 2028/29	Budget 2029/30
	£	£	£	£	£	£
HRA Summary	(6,218,000)	(6,232,620)	(6,603,420)	(7,038,840)	(7,460,670)	(7,898,550)
ED Communities	28,960	36,160	38,340	40,970	43,640	46,360
AD People	297,270	302,050	306,190	310,600	315,140	319,800
AD Env, Culture & Wellbeing	419,370	437,100	448,290	458,750	468,830	479,250
AD Assets	223,510	1,503,550	1,493,190	1,524,410	1,554,870	1,583,880
AD Neighbourhoods	4,195,090	4,382,640	4,352,290	4,447,210	4,531,790	4,615,980
Housing Repairs	-	-	-	-	-	-
Grand Total	(1,053,800)	428,880	34,880	(256,900)	(546,400)	(853,280)


*The figures above **include** the proposed Policy Changes for 2025/26 onwards.

Draft General Fund Capital Programme 2025/26 to 2029/30		2025/26	2026/27	2027/28	2028/29	2029/30	Total
		£	£	£	£	£	£
CH2830	Replacement PC's, Servers and Printers	100,000	60,000	60,000	60,000	60,000	340,000
CH2857	Endpoint Protection and Web-Email Filter	40,000	-	-	-	-	40,000
GF 3	AI and Automation	20,000	-	-	-	-	20,000
CP2848	Street Lighting	50,960	-	-	-	-	50,960
CP2860	Refrubishment of Play Areas	75,000	75,000	75,000	75,000	75,000	375,000
CP2863	Balancing Ponds	300,000	220,000	-	80,000	100,000	700,000
CP2865	Snowdome Footbridge	215,000	-	-	-	-	215,000
GF 1	Joint Waste Service Food Waste Caddies and Veh	634,900	-	-	-	-	634,900
CG2804	GF Capital Salaries	45,000	45,000	45,000	45,000	45,000	225,000
CA1004	Disabled Facilities Grant	800,000	820,000	840,500	861,500	883,000	4,205,000
CP2851	Energy Efficiency Upgrades to Commercial and Ind	75,000	76,880	78,800	80,770	72,790	384,240
CP2867	Roofing and renewal of walkways to Caledonian	8,800	-	-	-	-	8,800
CP2868	Roofing and renewal of walkways to Ellerbeck	6,700	-	-	-	-	6,700
CP2858	CCTV Upgrades	45,710	45,710	-	-	-	91,420
							-
GF 2	Tamworth Castle Structural Repairs (Contingency)	178,100	1,126,870	411,960	-	-	1,716,930
GF 4	Anker Valley Changing Rooms (Contingency)	150,000	-	-	-	-	150,000
							-
	Total General Fund Capital	2,745,170	2,469,460	1,511,260	1,202,270	1,235,790	9,163,950
	Proposed Financing:						
	Grants - Disabled Facilities	546,890	546,890	546,890	546,890	546,890	2,734,450
	General Fund Capital Receipts	49,400	61,280	45,000	-	145,000	300,680
	Sale of Council House Receipts	335,420	266,420	78,800	265,770	72,790	1,019,200
	General Fund Capital Reserve	324,960	20,000	-	-	-	344,960
	Other Contributions	650,400	-	-	-	-	650,400
	Unsupported Borrowing	838,100	1,574,870	840,570	389,610	471,110	4,114,260
	Total	2,745,170	2,469,460	1,511,260	1,202,270	1,235,790	9,163,950

Key:

 Capital appraisal received with New Scheme for 2025/26 or adjusted figures supplied

 Figure agreed to previous years report or ongoing scheme assumed at same amount

 No appraisal received

 Confirmation still required

Draft Housing Revenue Account Capital Programme 2025/26 to 2029/30		2025/26	2026/27	2027/28	2028/29	2029/30	TOTAL
		£	£	£	£	£	£
CR2001	Structural Works	205,000	210,100	215,400	220,800	226,300	1,077,600
CR2002	Bathroom Renewals	589,400	604,100	619,200	634,700	650,600	3,098,000
CR2003	Gas Central Heating Upgrades and Renewals	702,600	720,200	738,200	756,700	775,600	3,693,300
CR2004	Kitchen Renewals	717,500	735,400	753,800	772,600	791,900	3,771,200
CR2005	Major Roofing Overhaul and Renewals	2,306,250	2,363,900	2,423,000	2,483,600	2,545,700	12,122,450
CR2006	Window and Door Renewals	410,000	420,300	430,800	441,600	452,600	2,155,300
CR2007	Neighbourhood Regeneration	153,750	157,600	161,500	165,500	169,600	807,950
CR2008	Disabled Facilities Adaptations	717,500	735,400	753,800	772,600	791,900	3,771,200
CR2009	Rewire	281,880	288,900	296,100	303,500	311,100	1,481,480
CR2012	Works to Achieve zero Carbon	1,025,000	1,050,600	1,076,900	1,103,800	1,131,400	5,387,700
CR2015	Works to Eringden Block	317,000	-	-	-	-	317,000
CR2016	Roofing and renewal of walkways to Caledonian	11,900	-	-	-	-	11,900
CR2017	Roofing and renewal of walkways to Ellerbeck	14,850	-	-	-	-	14,850
CR3098	Renew Walkways Magnolia	410,000	-	-	-	-	410,000
CR4017	Sheltered Schemes	51,250	52,500	53,800	55,100	56,500	269,150
CR4023	Install Fire Doors High Rise	414,920	425,300	435,900	446,800	458,000	2,180,920
CR4025	Fire Risk Mitigation Works	461,250	472,800	484,600	496,700	509,100	2,424,450
CR4026	Damp and Mould Works	102,500	105,100	107,700	110,400	113,200	538,900
HRA 1	High Rise Structural Works	1,800,000	1,845,000	1,891,100	-	-	5,536,100
HRA 2	Improvements to Communal Areas of Blocks	164,000	168,100	172,300	176,600	181,000	862,000
CR4029	Sheltered Lifts and Stairlift Renewals	256,250	262,700	269,300	276,000	282,900	1,347,150
CR6014	Capital Salaries	400,000	400,000	400,000	400,000	400,000	2,000,000
CR6020	Street Lighting	76,440	-	-	-	-	76,440
CR7005	Regeneration & Affordable Housing	256,250	262,700	269,300	276,000	282,900	1,347,150
							-
	Total HRA Capital	11,845,490	11,280,700	11,552,700	9,893,000	10,130,300	54,702,190
	Proposed Financing:						
	Major Repairs Reserve	4,823,750	3,615,800	3,615,600	3,614,800	3,617,400	19,287,350
	HRA Capital Receipts	392,250	420,000	420,000	420,000	420,000	2,072,250
	Regeneration Revenue Reserves	2,938,800	2,586,800	2,586,200	2,441,800	2,730,900	13,284,500
	Capital Receipts from Additional Council House Sa	256,250	262,700	269,300	276,000	282,900	1,347,150
	Regeneration Reserve	718,690	480,300	478,800	480,000	481,400	2,639,190
	Affordable Housing Reserve	788,750	400,000	399,800	400,000	400,000	2,388,550
	Other	125,000	125,000	125,000	75,000	75,000	525,000
	Unsupported Borrowing	1,802,000	3,390,100	3,658,000	2,185,400	2,122,700	13,158,200
	Total	11,845,490	11,280,700	11,552,700	9,893,000	10,130,300	54,702,190

Contingencies 2025/26 to 2029/30

Capital Specific Earmarked & General Contingencies	2025/26	2026/27	2027/28	2028/29	2029/30	Total
	£	£	£	£	£	£
General Fund						
Specific Contingencies						
Castle Curtain Wall	-	-	-	-	-	-
Return on Investment	-	-	-	-	-	-
GF Plant & Equipment (Note 1)	-	-	-	-	-	-
GF Contingency Middle Entry Costs	-	-	-	-	-	-
Tamworth Castle Structural Repairs (Contingency)	178,100	1,126,870	411,960	-	-	1,716,930
Anker Valley Changing Rooms (Contingency)	150,000	-	-	-	-	150,000
General Capital Contingency (Note 1)						-
Total GF Capital	328,100	1,126,870	411,960	-	-	1,866,930
						-
Housing Revenue Account						-
HRA - General Capital Contingency (Note 1)	-	-	-	-	-	-
						-
Total HRA Capital	-	-	-	-	-	-

Notes

1) £100k contingency to be carried forward to 2025/26;

Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Draft Base Budget Forecasts 2025/26 – 2029/30	
Date Conducted	8 th November 2024	
Name of Lead Officer and Service Area	Jo Goodfellow, Interim ED Finance	
Commissioning Team (if applicable)		
Director Responsible for project /service area	Jo Goodfellow, Interim ED Finance	
Who are the main stakeholders	Corporate Management Team (CMT) and Elected Members	
Describe what consultation has been undertaken. Who was involved and what was the outcome	The draft report has been circulated to Corporate Management Team and Cabinet	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	N/A	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	X
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	x
	Existing	<input type="checkbox"/>
	Being reviewed	<input type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

For Cabinet to approve re-priced base budget figures for 2025/26 and indicative budgets to 2029/30, and give consideration be given to the proposed Policy Changes and Capital Programmes and planned changes to Council Tax and Housing Rent for 2025/26, as detailed within the report

Who will be affected and how?

The whole organisation is impacted by the report
Residents, tenants, businesses, visitors, voluntary sector and partner organisations

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

All services/ functions are covered by this report

Part 3 – Impact on the Community

Thinking about each of the areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age		X	
Disability		X	
Gender Reassignment		X	
Marriage and Civil Partnership		X	
Pregnancy & Maternity		X	
Race		X	
Religion or belief		X	
Sexual orientation		X	
Sex		X	
Gypsy/Travelling Community		X	
Those with caring/dependent responsibilities		X	

Those having an offending past		X	
Children		X	
Vulnerable Adults		X	
Families		X	
Those who are homeless		X	
Those on low income		X	
Those with drug or alcohol problems		X	
Those with mental health issues		X	
Those with physical health issues		X	
Social inclusion Please include refugees and asylum seekers,		X	
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered		X	
Health and Wellbeing		X	
Climate Change		X	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.

Impact Area	Details of the Impact	Action to reduce risk

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome

Date of Review (If applicable) : 23 July 2024

Guidance and form updated July 2023 following CMT approval.

CABINET

THURSDAY 21st NOVEMBER 2024

COUNCIL

TUESDAY 10th DECEMBER 2024

REPORT OF THE LEADER

TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY MID-YEAR REVIEW REPORT 2024/25

EXEMPT INFORMATION

None

PURPOSE

To present to Members the Mid-year Review of the Treasury Management Strategy Statement and Annual Investment Strategy.

RECOMMENDATIONS

That Council be requested to approve the Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2024/25.

EXECUTIVE SUMMARY

This mid-year report has been prepared in compliance with the requirements of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management (revised 2021), and covers the following:-

- An economic update for the half of the 2024/25 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's Capital expenditure as set out in the Capital Strategy, and Prudential Indicators;
- A review of the Council's investment portfolio for 2024/25;
- A review of the Council's borrowing strategy for 2024/25;
- A review of any debt rescheduling undertaken during 2024/25;
- A review of compliance with Treasury and Prudential Limits for 2024/25.

The main issues for Members to note are:

1. The Council has complied with the professional codes, statutes and guidance.
2. There are no issues to report regarding non-compliance with the approved prudential indicators.

- The investment portfolio yield, excluding property fund returns, for the first six months of the year is 5.21% (5.28% for the same period in 2023/24) compared to the average 3 Month SONIA benchmark rate of 5.06% for the period (5.03% for the same period in 2023/24).

The aim of this report is to inform Members of the treasury and investment management issues to enable all Members to have ownership and understanding when making decisions on Treasury Management matters. In order to facilitate this, training on Treasury Management issues was delivered for Members in February 2024 and further training is planned during 2024/25.

RESOURCE IMPLICATIONS

All financial resource implications are detailed in the body of this report which links to the Council's Medium Term Financial Strategy.

LEGAL/RISK IMPLICATIONS BACKGROUND

Risk is inherent in Treasury Management and as such a risk based approach has been adopted throughout the report with regard to Treasury Management processes.

EQUALITIES IMPLICATIONS

Appendix 1

ENVIRONMENT AND SUSTAINABILITY IMPLICATIONS (INCLUDING CLIMATE CHANGE)

None

REPORT AUTHOR

Please contact Omotayo Lawal, Head of Finance, Omotayo-lawal@tamworth.gov.uk extension 246.

LIST OF BACKGROUND PAPERS

<i>Background Papers -</i>	<i>Local Government Act 2003</i>
	<i>CIPFA Code of Practice on Treasury Management in Public Services 2017</i>
	<i>Annual Report on the Treasury Management Service and Actual Prudential Indicators 2023/24 – Council 10th September 2024</i>
	<i>Treasury Management Strategy & Prudential Indicators Report 2024/25 - Council 27th February 2024</i>
	<i>Budget & Medium Term Financial Strategy 2024/25 - Council 27th February 2024</i>

APPENDICES

Appendix 1 – Investments Held at 30th September 2024

Appendix 2 - the CFR, Liability Benchmark and Borrowing

TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY MID-YEAR REVIEW

The CIPFA Code of Practice on Treasury Management (revised 2021) suggests that Members should be informed of Treasury Management activities at least twice a year, but preferably quarterly. This is the second monitoring report for 2024/25 presented to Members this year and therefore ensures the Council is embracing best practice. Cabinet and Corporate Scrutiny also receive regular monitoring reports on Treasury Management activities and risks as part of the quarterly corporate performance reports.

The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the Treasury Management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the Treasury Management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

Accordingly, Treasury Management is defined as:

“The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

Introduction

This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2021).

The primary requirements of the Code are as follows:

- Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's Treasury Management activities.
- Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
- Receipt by the full Council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report (stewardship report) covering activities during the previous year. (Quarterly reports are also required for the periods ending April to June and October to December but may be assigned to a designated committee as appropriate – for this Council these reports are presented as part of quarterly performance reports to Corporate Scrutiny and Cabinet).

- Delegation by the Council of responsibilities for implementing and monitoring Treasury Management policies and practices and for the execution and administration of Treasury Management decisions.
- Delegation by the Council of the role of scrutiny of Treasury Management strategy and policies to a specific named body. For this Council the delegated body is the Audit and Governance Committee.

1. Economics and Interest Rates

1.1 Economics update

The third quarter of 2024 (July to September) saw:

- GDP growth stagnating in July following downwardly revised Q2 figures (0.5% q/q)
- A further easing in wage growth as the headline 3myy rate (including bonuses) fell from 4.6% in June to 4.0% in July;
- CPI inflation hitting its target in June before edging above it to 2.2% in July and August;
- Core CPI inflation increasing from 3.3% in July to 3.6% in August;
- The Bank of England initiating its easing cycle by lowering interest rates from 5.25% to 5.0% in August and holding them steady in its September meeting;
- 10-year gilt yields falling to 4.0% in September.
- The economy's stagnation in June and July points more to a mild slowdown in GDP growth than a sudden drop back into a recession. Moreover, the drop in September's composite activity Purchasing Managers Index, from 53.8 in August to 52.9, was still consistent with GDP growth of 0.3%-0.4% for the summer months. This is in line with the Bank of England's view, and it was encouraging that an improvement in manufacturing output growth could be detected, whilst the services PMI balance suggests non-retail services output grew by 0.5% q/q in Q3. Additionally, the services PMI future activity balance showed an uptick in September, although readings after the Chancellor's announcements at the Budget on 30th October will be more meaningful.
- The 1.0% m/m jump in retail sales in August was stronger than the consensus forecast for a 0.4% m/m increase. The rise was reasonably broad based, with six of the seven main sub sectors recording monthly increases, though the biggest gains came from clothing stores and supermarkets, which the ONS reported was driven by the warmer-than-usual weather and end of season sales. As a result, some of that strength is probably temporary.
- The government's plans to raise public spending by around £16bn a year (0.6% GDP) have caused concerns that a big rise in taxes will be announced in the Budget, which could weaken GDP growth in the medium-term. However, if taxes are raised in line with spending (i.e., by £16bn) that would mean the overall stance of fiscal policy would be similar to the previous government's plan to reduce the budget deficit. Additionally, rises in public spending tend to boost GDP by more than increases in taxes reduce it. Capital Economics suggest GDP growth will hit 1.2% in 2024 before reaching 1.5% for both 2025 and 2026.
- The further easing in wage growth will be welcomed by the Bank of England as a sign that labour market conditions are continuing to cool. The 3myy growth rate of average earnings fell from 4.6% in June to 4.0% in July. On a three-month annualised basis, average earnings growth eased from 3.0% to 1.8%, its lowest rate since December 2023. Excluding bonuses, the

3my rate fell from 5.4% to 5.1%.

- Other labour market indicators also point to a further loosening in the labour market. The 59,000 fall in the alternative PAYE measure of the number of employees in August marked the fourth fall in the past five months. And the 77,000 decline in the three months to August was the biggest drop since November 2020. Moreover, the number of workforce jobs fell by 28,000 in Q2. The downward trend in job vacancies continued too. The number of job vacancies fell from 872,000 in the three months to July to 857,000 in the three months to August. That leaves it 34% below its peak in May 2022, and just 5% above its pre-pandemic level. Nonetheless, the Bank of England is still more concerned about the inflationary influence of the labour market rather than the risk of a major slowdown in labour market activity.
- CPI inflation stayed at 2.2% in August, but services inflation rose from a two-year low of 5.2% in July to 5.6%, significantly above its long-run average of 3.5%. Food and fuel price inflation exerted some downward pressure on CPI inflation, but these were offset by the upward effects from rising furniture/household equipment inflation, recreation/culture inflation and a surprisingly large rise in airfares inflation from -10.4% in July to +11.9% in August. As a result, core inflation crept back up from 3.3% to 3.6%. CPI inflation is also expected to rise in the coming months, potentially reaching 2.9% in November, before declining to around 2.0% by mid-2025.
- The Bank initiated its loosening cycle in August with a 25bps rate cut, lowering rates from 5.25% to 5.0%. In its September meeting, the Bank, resembling the ECB more than the Fed, opted to hold rates steady at 5.0%, signalling a preference for a more gradual approach to rate cuts. Notably, one Monetary Policy Committee (MPC) member (Swati Dhingra) voted for a consecutive 25bps cut, while four members swung back to voting to leave rates unchanged. That meant the slim 5-4 vote in favour of a cut in August shifted to a solid 8-1 vote in favour of no change.
- Looking ahead, CPI inflation will likely rise in the coming months before it falls back to its target of 2.0% in mid-2025. The increasing uncertainties of the Middle East may also exert an upward pressure on inflation, with oil prices rising in the aftermath of Iran's missile attack on Israel on 1 October. China's recent outpouring of new fiscal support measures in the latter stages of September has also added to the upshift in broader commodity prices, which, in turn, may impact on global inflation levels and thus monetary policy decisions. Despite these recent developments, our central forecast is still for rates to fall to 4.5% by the end of 2024 with further cuts likely throughout 2025. This is in line with market expectations, however, although a November rate cut still looks likely, December may be more problematic for the Bank if CPI inflation spikes towards 3%. In the second half of 2025, though, we think a more marked easing in inflation will prompt the Bank to speed up, resulting in rates eventually reaching 3.0%, rather than the 3.25-3.50% currently priced in by financial markets.
- Link Group's forecast is next due to be updated around mid-November following the 30 October Budget, 5 November US presidential election and the 7 November MPC meeting and the release of the Bank of England Quarterly Monetary Policy Report.
- Looking at gilt movements in the first half of 2024/25, and you will note the 10-year gilt yield declined from 4.32% in May to 4.02% in August as the Bank's August rate cut signalled the start of its loosening cycle. Following the decision to hold the Bank Rate at 5.0% in September, the market response was muted, with the 10-year yield rising by only 5bps after the announcement. This likely reflected the fact that money markets had priced in a 25% chance of a rate cut prior to the meeting. The yield had already increased by about 10bps in the days leading up to the meeting, driven in part by the Fed's "hawkish cut" on 18 September. There is a possibility that gilt yields will rise near-term as UK policymakers remain cautious due to persistent inflation concerns, before declining in the longer term as rates fall to 3.0%.

- The FTSE 100 reached a peak of 8,380 in the third quarter of 2024, but its performance is firmly in the shade of the US S&P500, which has breached the 5,700 threshold on several occasions recently. Its progress, however, may pause for the time being whilst investors wait to see who is elected the next US President, and how events in the Middle East (and Ukraine) unfold. The catalyst for any further rally (or not) is likely to be the degree of investors' faith in AI.

1.2 Interest Rate Forecasts

The Authority has appointed Link Group as its treasury advisors and part of their service is to assist the Authority to formulate a view on interest rates. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1 November 2012.

Our latest forecast on 28 May sets out a view that short, medium and long-dated interest rates will fall back over the next year or two, although there are upside risks in respect of the stickiness of inflation and a continuing tight labour market, as well as the size of gilt issuance.

Our PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps, calculated as gilts plus 80bps) which has been accessible to most authorities since 1 November 2012.

Link Group Interest Rate View	28.05.24									
	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27
BANK RATE	4.50	4.00	3.50	3.25	3.25	3.25	3.25	3.00	3.00	3.00
3 month ave earnings	4.50	4.00	3.50	3.30	3.30	3.30	3.30	3.00	3.00	3.00
6 month ave earnings	4.40	3.90	3.50	3.30	3.30	3.30	3.30	3.10	3.10	3.20
12 month ave earnings	4.30	3.80	3.50	3.40	3.40	3.40	3.40	3.20	3.30	3.40
5 yr PWLB	4.50	4.30	4.10	4.00	3.90	3.90	3.90	3.90	3.90	3.80
10 yr PWLB	4.60	4.40	4.30	4.10	4.10	4.10	4.00	4.00	4.00	3.90
25 yr PWLB	5.00	4.80	4.70	4.50	4.50	4.40	4.40	4.40	4.30	4.30
50 yr PWLB	4.80	4.60	4.50	4.30	4.30	4.20	4.20	4.20	4.10	4.10

2. Treasury Management Strategy Statement and Annual Investment Strategy Update

The Treasury Management Strategy Statement (TMSS) for 2024/25 was approved by Council on 27th February 2024.

There are no policy changes to the TMSS; the details in this report update the position in the light of the updated economic position and budgetary changes already approved.

3. The Council's Capital Position (Prudential Indicators)

This part of the report is structured to update:

- The Council's capital expenditure plans;
- How these plans are being financed;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

3.1 Prudential Indicator for Capital Expenditure

This table below shows the revised estimates for capital expenditure and the changes since the

capital programme was agreed at the Budget.

Capital Expenditure	2024/25 Original Programme	Budget B'fwd from 2023/24	Virements in Year	Total 2024/25 Budget	Actual Spend @ Period 6	Predicted Outturn	2024/25 Revised Estimate*
	£m	£m	£m	£m	£m	£m	£m
General Fund	1.868	25.711	-	27.579	11.043	22.500	27.967
HRA	11.043	4.435	-	15.477	4.833	13.512	15.327
Total	12.911	30.146	-	43.057	15.876	36.012	43.294

* Includes potential expenditure slippage into 2025/26 of £6.594m

3.2 Changes to the Financing of the Capital Programme

The following table draws together the main strategy elements of the capital expenditure plans (above), highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. Any borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements

Capital Expenditure	2024/25 Capital Programme £m	2024/25 Predicted Outturn £m	2024/25 Budget * £m
Unsupported	1.759	2.215	4.619
Supported	11.152	33.797	38.438
Total spend	12.911	36.012	43.057
Financed by:			
Grants - Disabled Facilities	0.547	0.830	1.694
Section 106's	-	1.272	1.272
GF Receipts	0.068	10.357	12.686
GF Reserve	0.220	0.880	0.900
Sale of Council House Receipts	0.294	0.311	0.793
Future High Street Fund	-	5.310	5.310
Shared Prosperity Fund	-	0.471	0.471
Community Infrastructure Levy (CIL)	-	0.982	0.982
Other Grants/Contributions	-	0.503	0.503
MRR	4.361	4.726	4.726
HRA Attributable Debt Receipts	0.950	1.300	1.300
HRA 1-4-1 Replacements Receipts	0.100	0.632	0.632
HRA Reserve	3.462	4.727	5.437
HRA Regeneration Fund	0.710	0.782	1.017

HRA Affordable Housing Reserve	0.420	0.693	0.693
HRA Buy Back Receipts	0.020	0.020	0.020
Total Financing	11.152	33.797	38.438
Borrowing need	1.759	2.215	4.619

* includes schemes re-profiled from 2023/24 of £30.146m

3.3 Changes to the Prudential Indicators for the Capital Financing Requirement, External Debt and the Operational Boundary

The following table shows the Capital Financing Requirement (CFR), which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period, which is termed the Operational Boundary.

Prudential Indicator – Capital Financing Requirement

We are on target to achieve the original forecast Capital Financing Requirement.

Prudential Indicator – the Operational Boundary for External Debt

	2023/24	2024/25	2024/25	2024/25
	Outturn	Capital Programme	Projected Outturn	Budget
	£m	£m	£m	£m
CFR – Non Housing	4.092	7.029	5.494	7.242
CFR – Housing	70.507	72.160	71.139	72.159
Total CFR	74.600	79.190	76.633	79.400
Net movement in CFR	0.325	4.254	2.033	4.801
Operational Boundary				
Expected Borrowing	63.060	63.060	63.060	63.060
Other long term liabilities	-	-	-	-
Total Debt 31st March	63.060	63.060	63.060	63.060

3.4 Limits to Borrowing Activity

The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2024/25 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

	2023/24	2024/25	2024/25	2024/25
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		Original	Projected	Budget
	Outturn £m	Estimate £m	Outturn £m	£m
Gross borrowing	63.060	63.060	63.060	63.060
Less investments	66.813	16.293	52.832	50.428
Net borrowing	-3.753	46.768	10.228	12.633
CFR (year end position)	74.600	79.190	76.633	77.400

A further prudential indicator controls the overall level of borrowing. This is **the Authorised Limit** which represents the limit beyond which borrowing is prohibited and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

Authorised Limit for External Debt	2024/25 Original Indicator	Current Position	2024/25 Revised Indicator
Borrowing	89.436	89.436	89.436
Total	89.436	89.436	89.436

4. Borrowing

The Council's estimated revised capital financing requirement (CFR) for 2024/25 is £79.190m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. Table 3.4 shows the Council has borrowings of £63.060m and plans to utilise £13.573m of cash flow funds in lieu of borrowing. This is a prudent and cost effective approach in the current economic climate but will require ongoing monitoring climate but will require ongoing monitoring if gilt yields remain elevated, particularly at the longer-end of the yield curve (25 to 50 years).

It is not anticipated that any additional borrowing will be undertaken during 2024/25.

PWLB maturity certainty rates (gilts plus 0.8%) year to date to 30th September 2024

Gilt yields and PWLB certainty rates were less volatile than at this time last year. Overall, the 10, 25 and 50-year part of the curve endured a little volatility but finished September very much as it started in April.

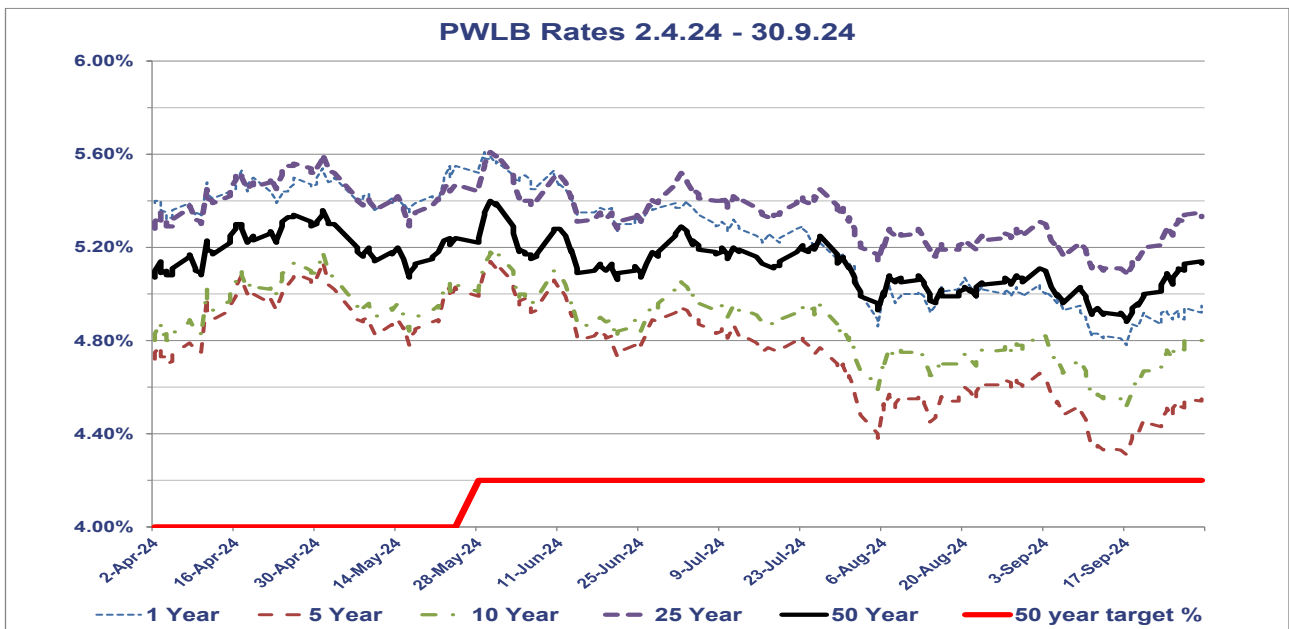
Where there was some movement downwards, this came in the shorter part of the curve as markets positioned themselves for Bank Rate cuts in the second half of 2024 and into 2025, although the continued stickiness of inflation and the prevailing tight labour market is a concern for those looking for more sizeable falls ahead.

At the beginning of April, the 5-year certainty rate was the cheapest part of the curve at 4.72% whilst the 25-year rate was relatively expensive at 5.28%. May saw yields at their highest across the whole curve.

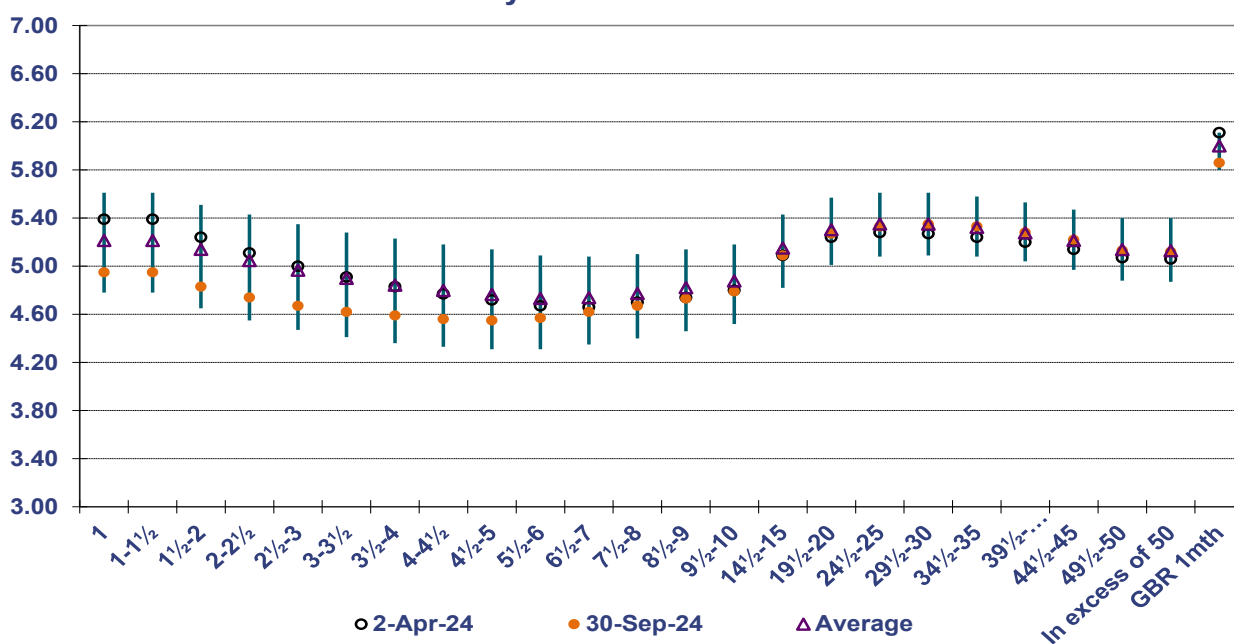
Conversely, 17 September saw the low point for the whole curve, with the 5-year certainty rate falling to 4.31% before rebounding to 4.55% by the end of the month. Similarly, the 50-year certainty rate fell to 4.88% but finished the month at 5.13%, slightly higher than at the start of April.

At this juncture, Link still forecasts rates to fall back over the next two to three years as inflation dampens, although there is upside risk to our Bank Rate forecast at present. The CPI measure of inflation is expected to fall below 2% in the second half of 2025, however, and Link forecast 50-year rates to stand at 4.20% by the end of September 2026. The major caveats are that there is considerable gilt issuance to be digested by the market over the next couple of years, and geopolitical uncertainties – which are generally negative for inflation prospects – abound in Eastern Europe and the Middle East, in particular.

PWLB RATES 02.04.24 – 30.09.24



PWLB Certainty Rate Variations 2.4.24 to 30.9.24



HIGH/LOW/AVERAGE PWLB RATES FOR 02.04.24 – 30.09.24

	1 Year	5 Year	10 Year	25 Year	50 Year
02/04/2024	5.39%	4.72%	4.80%	5.28%	5.07%
30/09/2024	4.95%	4.55%	4.79%	5.33%	5.13%
Low	4.78%	4.31%	4.52%	5.08%	4.88%
Low date	17/09/2024	17/09/2024	17/09/2024	17/09/2024	17/09/2024
High	5.61%	5.14%	5.18%	5.61%	5.40%
High date	29/05/2024	01/05/2024	01/05/2024	01/05/2024	01/05/2024
Average	5.21%	4.76%	4.88%	5.35%	5.14%
Spread	0.83%	0.83%	0.66%	0.53%	0.52%

- The current PWLB rates are set as margins over gilt yields as follows: -
 - **PWLB Standard Rate** is gilt plus 1%
 - **PWLB Certainty Rate (GF)** is gilt plus 0.8%
 - **PWLB Local Infrastructure Rate** is gilt plus 0.6%
 - **PWLB Certainty Rate (HRA)** is gilt plus 0.4%
- The **UK Infrastructure Bank** will lend to local authorities that meet its scheme criteria at a rate currently set at gilt plus 0.4%.

5. Debt Rescheduling

Debt repayment and rescheduling opportunities have increased over the course of the past six months and will be considered if giving rise to long-term savings. However, no debt repayments or rescheduling has been undertaken to date in the current financial year.

6. Compliance with Treasury and Prudential Limits

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the half year ended 30th September 2024, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2024/25. The Interim Section 151 Officer reports that no difficulties are envisaged for the current or future years in complying with these indicators.

All treasury management operations have also been conducted in full compliance with the Council's Treasury Management Practices.

7. Annual Investment Strategy

The Treasury Management Strategy Statement (TMSS) for 2024/25, which includes the Annual Investment Strategy, was approved by the Council on 27th February 2024. In accordance with the CIPFA Treasury Management Code of Practice, it sets out the Council's investment priorities as being:

- Security of capital
- Liquidity
- Yield

The Council will aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity and with the Council's risk appetite. In the current economic climate, it is considered appropriate to keep investments short term to cover cash flow needs, but also to seek out value available in periods up to 12 months with high credit quality financial institutions, using the Link suggested creditworthiness approach, including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information.

Creditworthiness.

The UK's sovereign rating has proven robust through the first half of 2024/25. The new Labour Government is expected to outline in detail its future fiscal proposals in the Budget scheduled for 30 October 2024.

Investment Counterparty criteria

The current investment counterparty criteria selection approved in the TMSS is meeting the requirement of the treasury management function.

CDS prices

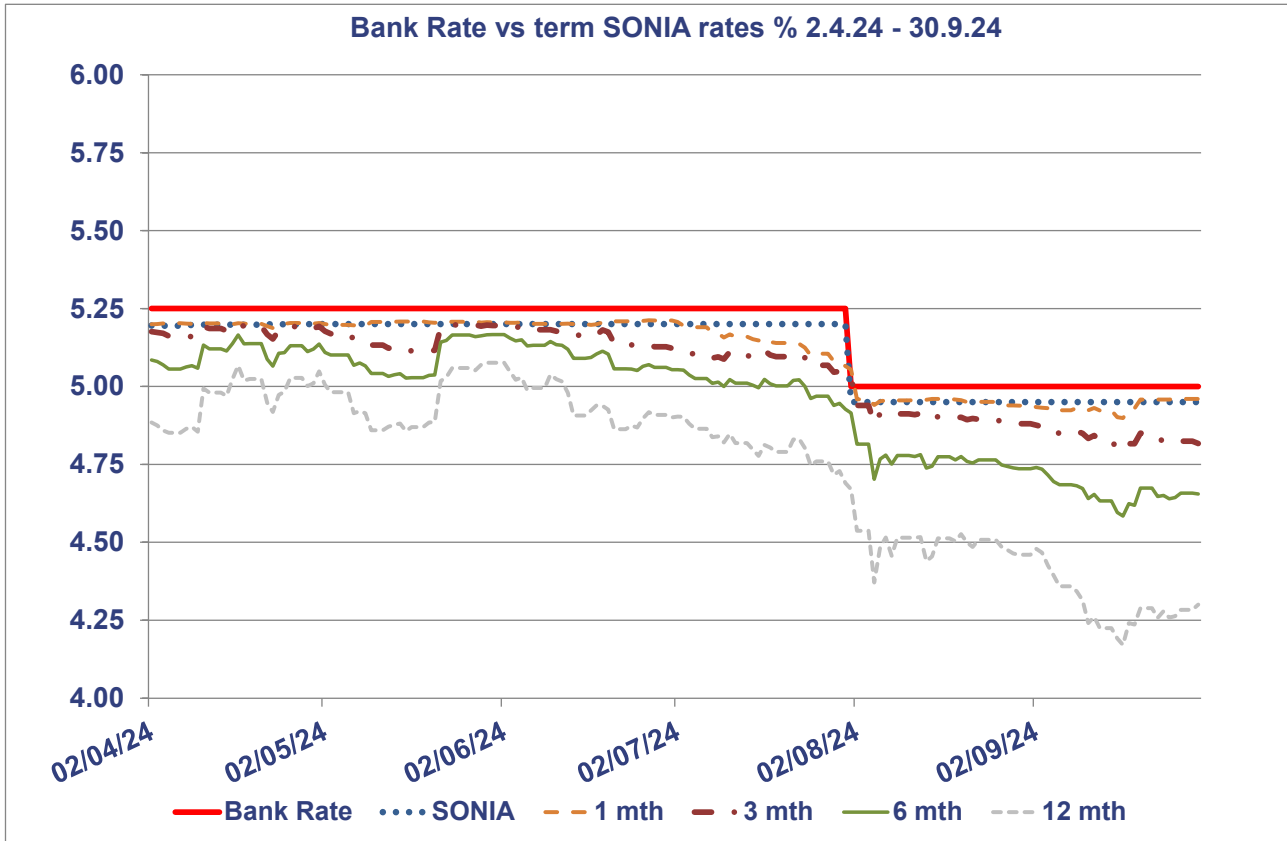
It is noted that sentiment in the current economic climate can easily shift, so it remains important to undertake continual monitoring of all aspects of risk and return in the current circumstances.

Investment balances

The Council held £62.354m of investments as at 30th September 2024, excluding investments in property funds (£59.108m at 31st March 2024) and the investment portfolio yield for the first six months of the year is 5.21% against a benchmark of the average 3 months SONIA of 5.06%. A full list of investments held as at 30th September 2024 is detailed in **APPENDIX 1**.

The Interim Section 151 Officer confirms that the approved limits within the Annual Investment Strategy were not breached during the first six months of 2024/25.

Investment performance year to date as of 30th September 2024



	Bank Rate	SONIA	1 mth	3 mth	6 mth	12 mth
High	5.25	5.20	5.21	5.20	5.17	5.08
High Date	02/04/2024	03/05/2024	27/06/2024	17/04/2024	31/05/2024	30/05/2024
Low	5.00	4.95	4.90	4.79	4.58	4.17
Low Date	01/08/2024	01/08/2024	17/09/2024	17/09/2024	17/09/2024	17/09/2024
Average	5.17	5.12	5.11	5.06	4.96	4.75
Spread	0.25	0.25	0.31	0.41	0.58	0.91

The table above covers the first half of 2024/25.

The Council's budgeted investment return for 2024/25 is £1.866m, and we are currently forecasting an additional £816k in investment income as at September Period 6, due to increased balances available for investment due to capital slippage, plus increasing interest rates.

Investment Counterparty Criteria

The current investment counterparty criteria selection approved in the TMSS and as approved by Council on 27th February 2024 meets the requirements of the Treasury Management function.

8.Changes in risk appetite

The 2021 CIPFA Codes and guidance notes place importance on risk management. Where an authority changes its risk appetite e.g., for moving surplus cash into or out of certain types of investment funds or other types of investment instruments, this change in risk appetite and policy should be brought to members' attention in treasury management update reports.

9. Property Funds

To date, the Council has invested £1.85m with Schroders UK Real Estate Fund, £6.057m with Threadneedle Property Unit Trust, and £4.057m with Hermes Federated Property Unit Trust, total investment £11.962m. Although the capital values of the funds did initially fall, mainly since 31st March 2020, they then recovered and as at 31st March 2022 there was an overall gain of £1.132m. However, since then capital values have fallen again, and as at 30th September the valuation stands at £10.162m, with an overall loss of £1.8m. It should be noted that investments in property are subject to fluctuations in value over the economic cycle and should yield capital growth in the longer term as the economy grows.

Fund Valuations	Investment	Valuation 31/03/2021	Valuation 31/03/2022	Valuation 31/03/2023	Valuation 31/03/2024	Valuation 30/09/2024
Schroders UK Real Estate Fund	1,848,933	1,848,933	2,139,618	1,727,176	1,567,521	1,556,636
Valuation Increase / (reduction)		0	290,685	(121,757)	(281,412)	(292,298)
Threadneedle Property Unit Trust	2,000,249	1,794,439	2,097,097	1,732,373	1,648,601	1,685,321
Valuation Increase / (reduction)		(205,810)	96,848	(267,875)	(351,648)	(314,928)
Threadneedle Property Unit Trust	4,056,536	-	4,407,163	3,640,676	3,464,625	3,546,983
Valuation Increase / (reduction)			350,627	(415,860)	(591,912)	(509,554)
Hermes Federated Property Unit Trust	4,056,500		4,450,808	3,741,712	3,462,647	3,372,814
Valuation Increase / (reduction)			394,308	(314,788)	(593,853)	(683,686)
Total	11,962,218	3,643,372	13,094,687	10,841,938	10,143,394	10,161,753
Valuation Increase / (reduction)		(205,810)	1,132,469	(1,120,280)	(1,818,824)	(1,800,465)

The following table details the dividend returns achieved from the property fund investments, which support the revenue budget. The Council received £489k in dividends from its property fund investments in 2023/24 (£458k in 2022/23), and has received £185k for the current financial year as at 30th September 2024(Q2 returns not yet received in respect of Hermes).

Fund Valuations	Investment	Dividend Returns	Dividend Returns	Dividend Returns	Dividend Returns	Dividend Returns

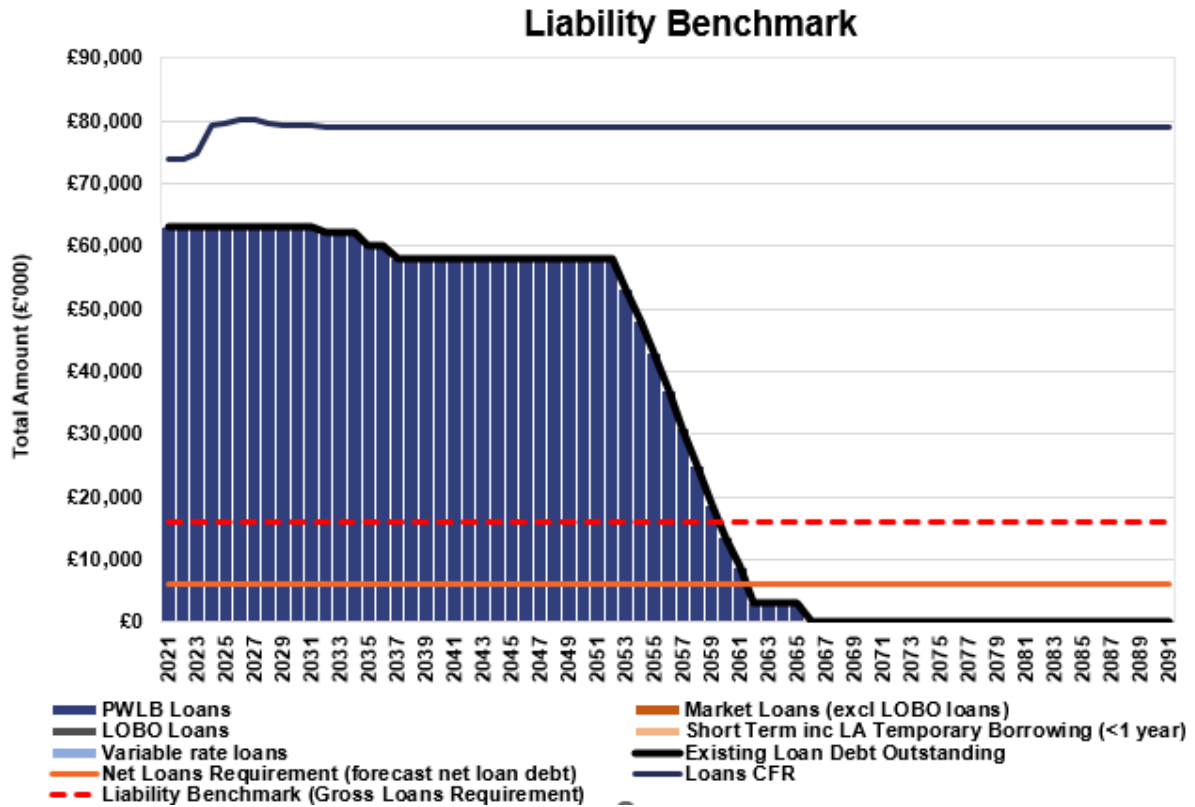
		31/03/2021	31/03/2022	31/03/2023	31/03/2024	30/09/2024
Schroders UK Real Estate Fund	1,848,933	52,898	61,655	71,962	74,005	33,469
Valuation Increase / (reduction)		157,654	219,309	291,270	365,275	398,744
Threadneedle Property Unit Trust	2,000,249	75,452	79,231	83,373	92,111	34,829
Valuation Increase / (reduction)		225,781	305,012	388,385	480,496	515,325
Threadneedle Property Unit Trust	4,056,536	-	70,417	175,213	193,576	73,195
Valuation Increase / (reduction)		-	70,417	245,631	439,206	512,401
Hermes Federated Property Unit Trust	4,056,500	-	57,352	127,182	129,515	43,487
Valuation Increase / (reduction)		-	57,352	184,534	314,050	357,537
Total	11,962,218	128,350	268,655	457,730	487,846	184,980
Annual Revenue % Return		3.3%	2.2%	3.8%	4.1%	1.5%

Investments held as at 30th September 2024:

<i>Borrower</i>	<i>Deposit £</i>	<i>Rate %</i>	<i>From</i>	<i>To</i>	<i>Notice</i>
NatWest Bank	5,000,000	5.13%	08-Jul-24	08-Jul-25	-
Birmingham City Council	5,000,000	5.25%	29-Jul-24	28-Jul-25	-
Slough Council	5,000,000	5.18%	12-Jul-24	13-Jan-25	-
Lancashire Council	5,000,000	5.35%	01-May-24	01-Nov-24	-
Crawley Council	5,000,000	5.35%	10-May-24	11-Nov-24	-
LB of Newham	5,000,000	5.40%	10-May-24	11-Nov-24	-
LB of Newham	5,000,000	5.27%	15-Jul-24	15-Jan-25	-
Medway Council	5,000,000	5.40%	24-May-24	25-Nov-24	-
Southampton Council	5,000,000	5.35%	18-Jun-24	18-Dec-24	-
Central Bedfordshire Council	5,000,000	4.92%	22-Aug-24	22-Nov-24	
West Dunbartonshire Council	5,000,000	5.00%	10-Sep-24	10-Mar-25	
MMF – Aberdeen	-	4.96%*	-	-	On call
MMF – PSDF	-	4.99%*	-	-	On call
MMF – Federated	7,354,000	5.03%*	-	-	On call
Total	62,354,000	5.21%	-	-	-
Schroders UK Real Estate Fund	1,848,933	3.61%	-	-	-
Threadneedle Property Unit Trust	6,056,785	3.56%	-	-	-
Hermes Federated Property Unit Trust	4,056,500	4.30%	-	-	-
Total	74,316,218	4.99%	-	-	-

* Interest rate fluctuates daily dependant on the funds investment portfolio, rate quoted is approximate 7 day average.

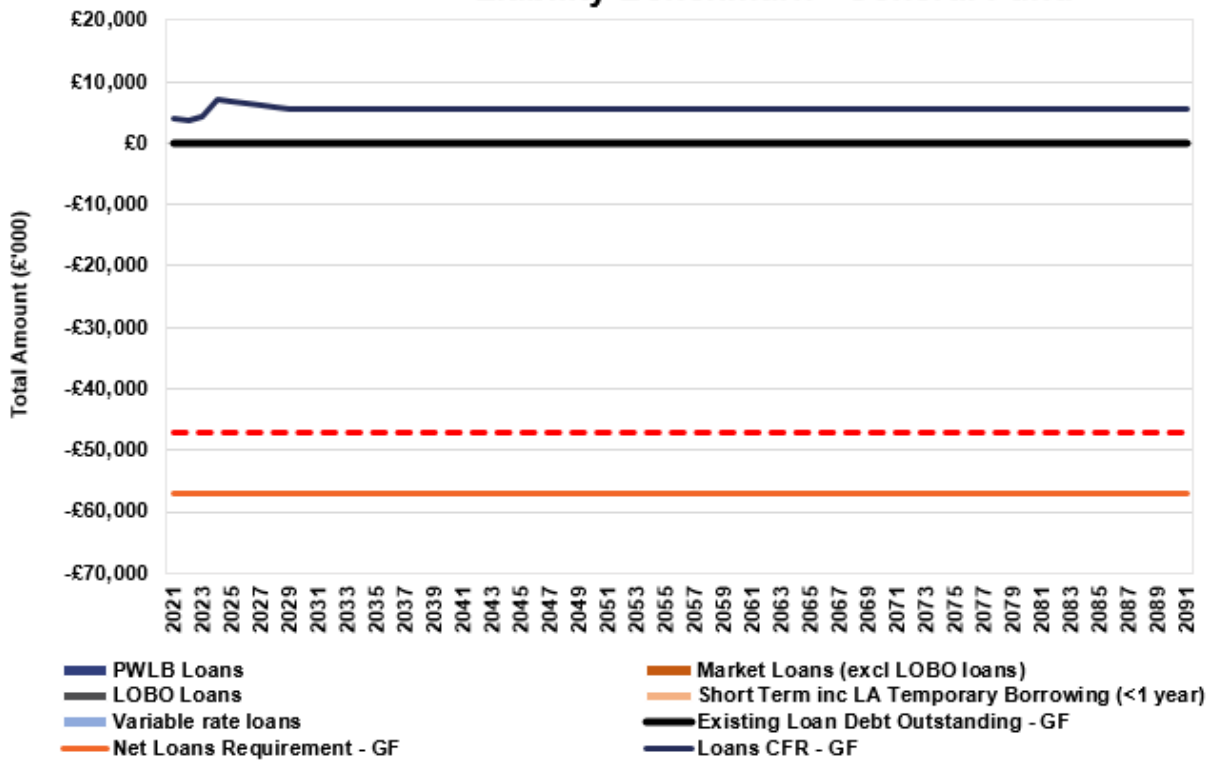
Fund	Initial Investment	Fund Value 30/09/2024	2024/25 Return to Date		
Schroders UK Real Estate Fund	£1,848,933.03	£1,556,635.51	£33,468.53	3.61%	Returns Received Monthly. Received up to Sep-24.
Threadneedle Property Unit Trust	£6,056,785.32	£5,209,979.79	£108,023.99	3.56%	Returns Received Quarterly. Received up to Sept-24
Hermes Federated Property Unit Trust	£4,056,499.57	£3,396,730.59	£43,487.14	4.30%	Returns Received Quarterly. Received up to Jun-24
Total	£11,962,217.92	£10,163,345.89	£184,979.66	3.82%	



The combined liability benchmark chart above shows the existing loan debt outstanding, the capital financing requirement, net loans requirement and liability benchmark indicator.

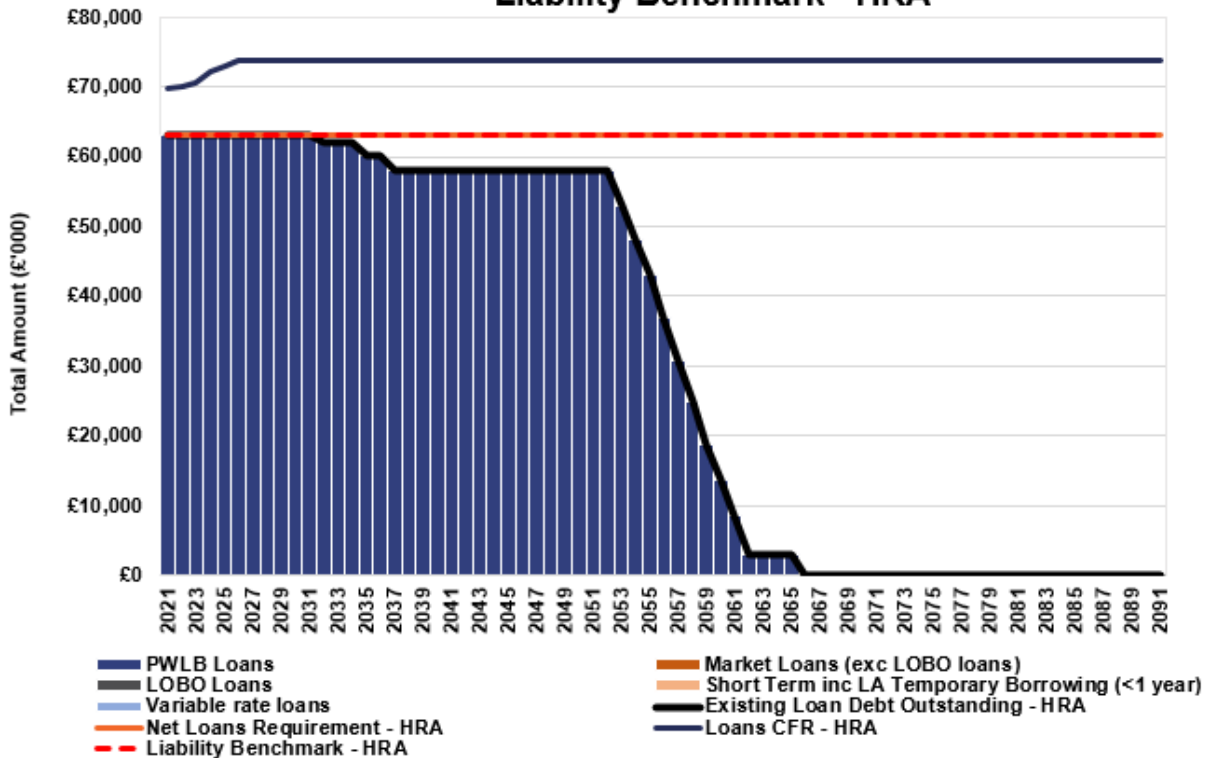
The difference between the loans capital financing requirement and existing debt indicates internal borrowing. Prior to any new borrowing, the Council will have regard to underlying assumptions of liability benchmark analysis as part of prudent treasury management.

Liability Benchmark - General Fund



The net loans requirement and liability benchmark for the General Fund is negative as this is reflective of the balance of GF treasury investments held.

Liability Benchmark - HRA



The liability benchmark for the HRA is set at the same level as the net loans requirement (£63m reflecting PWLB loans outstanding) as there is no need to maintain additional borrowing to meet liquidity needs as this falls to the General Fund.

Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 202425	
Date Conducted	8 th November 2024	
Name of Lead Officer and Service Area	Tayo Lawal, Head of Finance	
Commissioning Team (if applicable)		
Director Responsible for project /service area	Jo Goodfellow, Interim ED Finance	
Who are the main stakeholders	Corporate Management Team (CMT) and Elected Members	
Describe what consultation has been undertaken. Who was involved and what was the outcome	N/A	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	N/A	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	X
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	x
	Existing	<input type="checkbox"/>
	Being reviewed	<input type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

To present to Members the Mid-year Review of the Treasury Management Strategy Statement and Annual Investment Strategy

Who will be affected and how?

The whole organisation is impacted by the report
Residents, tenants, businesses, visitors, voluntary sector and partner organisations

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

All services/ functions are covered by this report

Part 3 – Impact on the Community

Thinking about each of the areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Ye s	No	Reason (provide brief explanation)
Age		X	
Disability		X	
Gender Reassignment		X	
Marriage and Civil Partnership		X	
Pregnancy & Maternity		X	
Race		X	
Religion or belief		X	
Sexual orientation		X	
Sex		X	
Gypsy/Travelling Community		X	
Those with caring/dependent responsibilities		X	
Those having an offending past		X	

Children		X	
Vulnerable Adults		X	
Families		X	
Those who are homeless		X	
Those on low income		X	
Those with drug or alcohol problems		X	
Those with mental health issues		X	
Those with physical health issues		X	
Social inclusion Please include refugees and asylum seekers,		X	
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered		X	
Health and Wellbeing		X	
Climate Change		X	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.

Impact Area	Details of the Impact	Action to reduce risk

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome

Date of Review (If applicable) : 23 July 2024

Guidance and form updated July 2023 following CMT approval.

Cabinet

21 November 2024

Council

10 December 2024

Report of the Leader of the Council

Local Council Tax Reduction Scheme 2025/26

Exempt Information

Not applicable

Purpose

The purpose of this report is to recommend that Cabinet and Council approves the Council Tax Reduction scheme from the 1 April 2025.

Recommendations

It is recommended that:

- 1. Council consider and endorse the proposed recommended changes detailed below:**
- 2. The continuation of the income banded/grid scheme for working age applicants to reduce the administrative burden placed on the Council by the introduction of Universal Credit and to increase the overall level of support for the lowest income families.**
- 3. Should material amendments be required to the scheme, Cabinet authorise the Chief Executive, Executive Director Finance, in consultation with the Leader of the Council, to make such required amendments as necessary.**

Executive Summary

Each year the Council is required to review its Council Tax Reduction Scheme in accordance with the requirements of schedule 1A of the Local Government Finance Act 1992 and to either maintain the scheme or replace it.

Local Council Tax Reduction is a way the Council can redistribute the financial burden on Council Taxpayers and provide additional support to those in financial need.

The retention of the current scheme would help to ensure that already protected claimants will not be further disadvantaged and pays due regard to the challenging financial climate.

In the first year of the revised scheme the Council has made changes to the CTR scheme for working age applicants reducing the significant administrative burden placed on the Council by the introduction of Universal Credit. This has also helped to provide support to those households on the lowest incomes. As at 1st October 2024 Tamworth has awarded £5.6m for the financial year of Council Tax Support to its residents.

Options Considered

Alternative options have not been considered for the financial year 2025/2026.

Resource Implications

The current banded scheme provides a modern, more efficient scheme which is far more straightforward for staff to administer.

A review of the scheme is carried out annually to assess the financial cost of the scheme and to ensure it remains operationally and financially viable, taking into account ongoing changes in legislation and financial requirements.

Initial financial modelling estimated a cost of £5.6m for the first year of the scheme which is borne by the Council's Collection Fund, costs are shared between the Council and the Major Precepting Authorities. This estimate has so far proven to be accurate.

Financial effectiveness and the cost of the scheme will continue to be undertaken during the coming year. The scheme has helped to provide additional support to households on low incomes.

Caseload and staffing required for Revenues and Benefits has been analysed and it is anticipated that reductions will be made for the next financial year. Staffing costs saved via natural wastage and efficiencies will be £59.8k per annum, which is an increase as initial estimates predicted a reduction of £28k per annum.

Legal/Risk Implications Background

Ministry of Housing, Communities and Local Government (MHCLG) have confirmed that consultation on the scheme is not required annually if it is not amended. Other than the early alignment of applicable amounts to those of Benefits and increasing the banding widths by the increase in Council Tax there are no other proposed changes to the LCTR Scheme for 2025/26 and therefore no consultation has been required.

Section 13 A (2) and Schedule 1A of the Local Government Finance Act 1992, as well as Schedule 1A, paragraph 16 of the Local Government Finance Act 2012 legislates that the scheme must be agreed annually by full Council.

The current scheme is performing well and is proving to provide support to the most vulnerable Council Tax payers. A copy of the current scheme is available in Appendix 1. The scheme for 2025/2026 will be updated once figures become available later on in the year.

Equalities Implications

The move to the banded scheme has had a positive effect on the majority of working age claimants.

There has been a transitional protection scheme in place for those large losers in the first year of the scheme to lessen the initial effects of these changes. Whilst this will now cease in the second year, support will be available through the Council's Exceptional Hardship Fund where applicable.

The continuation of the scheme is likely to have a positive impact on child poverty and helps our most vulnerable residents. As most of our current claimants are likely to financially benefit from the scheme it is probable that it would reduce the financial burden on such groups.

A full Community Impact Assessment has been considered is attached in Appendix 2.

Environment and Sustainability Implications (including climate change)

There are no environmental implications. However, the Council must be aware that there is an additional cost to itself and its Preceptors with this scheme.

Background Information

Following extensive consultation with the public and preceptors during 2023/24, and approval by Corporate Scrutiny, Cabinet and Council, Tamworth implemented a revised, banded Council Tax Reduction Scheme with effect from 1st April 2024, which provides support to residents who need help to pay their Council Tax. The scheme provides a modern, more efficient system which is more straightforward for staff to administer.

The current cost is £5.6 m which is borne by the Council's Collection Fund, costs are shared between the Council and the Major Precepting Authorities in the following proportions. The cost to the Council for implementing a banding scheme have been factored into the Medium-Term Financial Plan.

- Borough Council (10%);
- County Council (73%);
- Police and Crime Commissioner (13%);
- Fire and Rescue Service (4%);

The overall intention is that we will continue to provide additional support to those households on the very lowest incomes.

The simplicity of the scheme has enabled us to reduced administration costs and create more efficiencies. In addition, there is no requirement for Universal Credit applicants to apply separately for Local Council Tax Reduction. It has contributed greatly to the maintaining of high collection rates and stabilises entitlement for residents by simplifying what happens when a working age resident's income changes by a small amount during the financial year.

Report Author

Michael Buckland – Head of Revenues and Benefits
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List of Background Papers

Local Council Tax Reduction Scheme 2024/25, Corporate Scrutiny Committee 27 July 2023 & 8 August 2023, Cabinet 17 August 2023, Cabinet 30 November 2023, Council 12 December 2023

Appendices

Appendix 1 LCTR Scheme for 2024/25
Appendix 2 Community Impact Assessment

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Council Tax Reduction Scheme
S13A and Schedule 1a of the
Local Government Finance Act 1992**

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1.0 Introduction to the Council Tax Reduction Scheme

1.1 The following has been adopted by the Council and details the Council Tax Reduction scheme for the period from 1st April 2024.

1.2 This document details how the scheme will operate for both pension credit age and working age applicants and in accordance with Section 13A of the Local Government Finance Act 1992 specifies the classes of person who are to be entitled to a reduction under the scheme and is effective from 1st April 2024 for a period of one financial year.

1.3 The scheme in respect of pension age applicants is defined by Central Government within the following:

- Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;
- Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012;
- Council Tax Reduction Schemes (Transitional Provision) (England) Regulations 2013;
- Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013;
- Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016;
- The Council Tax Reduction Schemes (England) (Amendment) Regulations 2017;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2020;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022;
- The Council Tax (Demand Notices and Reduction Schemes) (England) (amendment) Regulations 2022;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2023;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2024; and
- Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012).

The scheme for pension age applicants – Central Government’s scheme as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012

1.4 There are three main classes under the prescribed pension credit age scheme, for each of which there are a number of qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction, such as a person subject to immigration control with limited leave to remain. The definition of a pension credit age person is a person who;

- (a) has attained the qualifying age for state pension credit; and
- (b) is not, or, if he has a partner, his partner is not;
 - i. a person on income support, on an income-based jobseeker’s allowance or on an income-related employment and support allowance; or
 - ii. a person with an award of universal credit

The three prescribed classes are as follows;

Class A: pensioners whose income is less than the applicable amount.

On any day Class A consists of any person who is a pensioner:

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- (c) who does not fall within a class of persons prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- (d) whose income (if any) for the relevant week does not exceed his applicable amount calculated in accordance with paragraph 9 and Schedule 2 of the Local Government Finance Act 1992;
- (e) not have capital savings above £16,000; and
- (f) who has made an application for a reduction under the authority's scheme.

Class B: pensioners whose income is greater than the applicable amount.

On any day class B consists of any person who is a pensioner:

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- (c) who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- (d) whose income for the relevant week is greater than his applicable amount calculated in accordance with paragraph 9 and Schedule 2 to the Local Government Finance Act 1992;
- (e) in respect of whom amount A exceeds amount B where;
 - (i) amount A is the maximum Council Tax Reduction in respect of the day in the applicant's case; and
 - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount;
- (f) not have capital savings above £16,000; and
- (g) who has made an application for a reduction under the authority's scheme.

Class C: alternative maximum Council Tax Reduction

On any day class C consists of any person who is a pensioner:

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum Council Tax Reduction amount can be calculated;
- (d) who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the 1992 Act and excluded from the authority's scheme;
- (e) who has made an application for a reduction under the authority's scheme; and
- (f) in relation to whom the condition below is met.

The condition referred to in sub-paragraph (f) is that no other resident of the dwelling is liable to pay rent to the applicant in respect of the dwelling and there is an alternative maximum Council Tax Reduction in respect of the day in the case of that person which is derived from the income, or aggregate income, of one or more residents to whom this sub-paragraph applies.

The above applies to any other resident of the dwelling who:

- (a) is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount;
- (b) is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
- (c) is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and—
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- (d) is not a person who, jointly with the applicant, falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
- (e) is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Disregard of certain incomes

1.5 For those who have reached the qualifying age for state pension credit, the Council has resolved to enhance the government scheme (as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012 to disregard in full the following:

- (a) a war disablement pension;
- (b) a war widow's pension or war widower's pension;
- (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
- (d) a guaranteed income payment;
- (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
- (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
- (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

The provisions outlined above, enhance the Central Government's scheme.

THE SCHEME FOR WORKING AGE APPLICANTS – THE COUNCIL'S LOCAL SCHEME

1.6 The adopted scheme for working age applicants is an income band scheme means test, which compares income against a range of discounts available. Full details of the working age scheme of the authority are contained within this document from section 2 onwards. The authority is required to specify a scheme for working age and therefore this scheme only applies to a person who;

- (a) has not attained the qualifying age for state pension credit; or
- (b) has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance, on an income-related employment and support allowance or on universal credit.

1.7 The Council has resolved that there will be **one** class of persons who will receive a reduction in

line with adopted scheme. The scheme has qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction as specified within section 7 of this scheme.

Class D

To obtain reduction the individual (or partner) must:

- (a) have not attained the qualifying age for state pension credit; or
- (b) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or a person with an award of universal credit.
- (c) be liable to pay council tax in respect of a dwelling in which he is solely or mainly resident;
- (d) is not deemed to be absent from the dwelling;
- (e) not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- (f) be somebody in respect of whom a maximum Council Tax Reduction amount can be calculated;
- (g) not have capital savings above £6,000 (subject to Schedule 3 of this scheme);
- (h) not have income above the levels specified within the scheme;
- (i) be a person in respect of whom a day in which s/he is liable to pay council tax falls within a week in respect of which the person's *income* is within a range of incomes specified within Schedule 1; and
- (j) has made a valid application for reduction.

Council Tax Reduction Scheme

Details of reduction to be given for working age applicants for the financial year 2024/25

2.0 Interpretation – an explanation of the terms used within this policy.

2.1 In this policy–

‘the 1992 Act’ means the Local Government Finance Act 1992;

‘the 2000 Act’ means the Electronic Communications Act 2000;

‘Abbeyfield Home’ means an establishment run by the Abbeyfield Society including all bodies corporate or incorporate which are affiliated to that Society;

‘adoption leave’ means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996;

‘an AFIP’ means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004

‘applicant’ means a person who the authority designates as able to claim Council tax reduction – for the purposes of this policy all references are in the masculine gender but apply equally to male and female;

‘application’ means an application for a reduction under this scheme:

‘attendance allowance’ means–

(a) an attendance allowance under Part 3 of the Act;

(b) an increase of disablement pension under section 104 or 105 of the Act;

(c) a payment under regulations made in exercise of the power conferred by paragraph 7(2)(b) of Part 2 of Schedule 8 to the Act;

(d) an increase of an allowance which is payable in respect of constant attendance under paragraph 4 of Part 1 of Schedule 8 to the Act;

(e) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or

(f) any payment based on need for attendance which is paid as part of a war disablement pension;

‘the authority’ means a billing authority in relation to whose area this scheme has effect by virtue of paragraph 4(6) of Schedule 1A to the 1992 Act;

‘basic rate’, where it relates to the rate of tax, has the same meaning as in the Income Tax Act 2007 (see section 989 of that Act).

‘board and lodging accommodation’ means accommodation provided to a family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

‘care home’ has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services Quality Improvement and Regulation (Northern Ireland) Order 2003 or a residential care home, within the meaning of Article 10 of that Order;

‘the Caxton Foundation’ means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;

‘child’ means a person under the age of 16;

‘child benefit’ has the meaning given by section 141 of the SSCBA as amended by The Child Benefit (General), Child Tax Credit (Amendment) Regulations 2014 and The Child Benefit (General) (Amendment) Regulations 2015;

‘child tax credit’ means a child tax credit under section 8 of the Tax Credits Act 2002;

‘the Children Order’ means the Children (Northern Ireland) Order 1995;

‘claim’ means a claim for council tax reduction;

‘close relative’ means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

‘contributory employment and support allowance’ means an allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance

and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;

‘converted employment and support allowance’ means an employment and support allowance which is not income-related and to which a person is entitled as a result of a conversion decision within the meaning of the Employment and Support Allowance (Existing Awards) Regulations;

‘Council Tax Reduction scheme’ has the same meaning as ‘council tax reduction or reduction.’

‘council tax reduction (or reduction)’ means council tax reduction as defined by S13a Local Government Finance Act 1992 (as amended);

‘couple’ means;

(a) two people who are married to, or civil partners of, each other and are members of the same household; or

(b) a man and a woman who are not married to each other but are living together as if they were a married couple or civil partners;

‘date of claim’ means the date on which the claim is made, or treated as made, for the purposes of this policy.

‘designated authority’ means any of the following;

the local authority; or a person providing services to, or authorised to exercise any function of, any such authority;

‘designated office’ means the office designated by the authority for the receipt of claims for council tax reduction;

(a) by notice upon or with a form approved by it for the purpose of claiming council tax reduction; or

(b) by reference upon or with such a form to some other document available from it and sent by electronic means or otherwise on application; or

(c) by any combination of the provisions set out in sub-paragraphs (a) and (b) above;

‘disability living allowance’ means a disability living allowance under section 71 of the Act;

‘dwelling’ has the same meaning in section 3 or 72 of the 1992 Act;

‘earnings’ has the meaning prescribed in section 25 or, as the case may be, 27;

‘the Eileen Trust’ means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

‘electronic communication’ has the same meaning as in section 15(1) of the 2000 Act;

‘employed earner’ is to be construed in accordance with section 2(1)(a) of the Act and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

‘Employment and Support Allowance Regulations’ means the Employment and Support Allowance Regulations 2008 and the Employment and Support Regulations 2013 as appropriate;

‘Employment and Support Allowance (Existing Awards) Regulations’ means the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) Regulations 2010;

‘family’ has the meaning assigned to it by section 137(1) of the Act and Section 9 of this scheme;

‘the Fund’ means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by him on 24th April 1992 or, in Scotland, on 10th April 1992;

‘a guaranteed income payment’ means a payment made under article 14(1)(b) or article 21(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005(b);

‘he, him, his’ also refers to the feminine within this policy.

‘housing benefit’ means housing benefit under Part 7 of the Act; ‘the Housing Benefit Regulations’ means the Housing Benefit Regulations 2006;

‘Immigration and Asylum Act’ means the Immigration and Asylum Act 1999;

‘an income-based jobseeker’s allowance’ and ‘a joint-claim jobseeker’s allowance’ have the same meaning as they have in the Jobseekers Act by virtue of section 1(4) of that Act;

‘income-related employment and support allowance’ means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

‘Income Support Regulations’ means the Income Support (General) Regulations 1987(a);

‘independent hospital’–

- (a) in England, means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;
- (b) in Wales, has the meaning assigned to it by section 2 of the Care Standards Act 2000; and
- (c) in Scotland, means an independent health care service as defined in section 2(5)(a) and (b) of the Regulation of Care (Scotland) Act 2001;

‘the Independent Living Fund (2006)’ means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

‘invalid carriage or other vehicle’ means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

‘Jobseekers Act’ means the Jobseekers Act 1995; ‘Jobseeker’s Allowance Regulations’ means the Jobseeker’s Allowance Regulations 1996 and Jobseeker’s Allowance Regulations 2013 as appropriate; ‘limited capability for work’ has the meaning given in section 1(4) of the Welfare Reform Act;

‘limited capability for work-related activity’ has the meaning given in section 2(5) of the Welfare Reform Act 2007;

‘the London Bombing Relief Charitable Fund’ means the company limited by guarantee (number 5505072), and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;

‘lone parent’ means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

‘the Macfarlane (Special Payments) Trust’ means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

‘the Macfarlane (Special Payments) (No.2) Trust’ means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia and other beneficiaries;

‘the Macfarlane Trust’ means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

‘main phase employment and support allowance’ means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007 except in Part 1 of Schedule 1;

‘maternity leave’ means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

‘member of a couple’ means a member of a married or unmarried couple;

‘member of the work-related activity group’ means a claimant who has or is treated as having limited capability for work;

‘MFET Limited’ means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

‘net earnings’ means such earnings as are calculated in accordance with this scheme;

‘net profit’ means such profit as is calculated in accordance with this scheme;

‘the New Deal options’ means the employment programmes specified in regulation 75(1)(a)(ii) of the Jobseeker’s Allowance Regulations and the training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

‘new dwelling’ means, for the purposes of the definition of ‘second authority’ and sections 60C, and 61C the dwelling to which an applicant has moved, or is about to move, in which the applicant is or will be resident;

‘occupational pension’ means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

‘ordinary clothing or footwear’ means clothing or footwear for normal daily use, but does not include school uniforms, or clothing or footwear used solely for sporting activities;

‘partner’ means–

- (a) where an applicant is a member of a couple, the other member of that couple; or
- (b) where an applicant is polygamously married to two or more members of his household, any such member to whom he is married;

‘paternity leave’ means a period of absence from work on leave by virtue of section 80A or 80B of the Employment Rights Act 1996;

‘payment’ includes part of a payment;

‘pensionable age’ has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995 as amended by the Public Services Pension Act 2013 and Pensions Act 2014;

‘pension fund holder’ means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers, or scheme administrators, as the case may be, of the scheme concerned;

‘pensioner’ a person who has attained the age at which pension credit can be claimed;

‘person affected’ shall be construed as a person to whom the authority decides is affected by any decision made by the council;

‘personal independence payment’ has the meaning given by Part 4 of the Welfare Reform Act 2012 and the Social Security (Personal Independence Payments) 2013;

‘person treated as not being in Great Britain’ has the meaning given by section 7;

‘personal pension scheme’ means–

- (a) a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993 as amended by the Public Service Pension Act 2013;
- (b) an annuity contractor trust scheme approved under section 20 or 21 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) or that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 of the Finance Act 2004;
- (c) a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;

‘policy of life insurance’ means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;

‘polygamous marriage’ means a marriage to which section 133(1) of the Act refers namely;

- (a) a person is a husband or wife by virtue of a marriage entered into under law which permits polygamy; and
- (b) either party to the marriage has for the time being any spouse additional to the other party.

‘public authority’ includes any person certain of whose functions are functions of a public nature;

‘qualifying age for state pension credit’ means (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002)–

- (a) in the case of a woman, pensionable age; or
- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

‘qualifying contributory benefit’ means;

- (a) severe disablement allowance;
- (b) incapacity benefit;
- (c) contributory employment and support allowance;

‘qualifying course’ means a qualifying course as defined for the purposes of Parts 2 and 4 of the Job Seeker’s Allowance Regulations 1996

‘qualifying income-related benefit’ means;

- (a) income support;
 - (b) income-based jobseeker's allowance;
 - (c) income-related employment and support allowance;
- 'qualifying person' means a person in respect of whom payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund;
- 'reduction week' means a period of seven consecutive days beginning with a Monday and ending with a Sunday;
- 'relative' means a close relative, grandparent, grandchild, uncle, aunt, nephew or niece;
- 'relevant authority' means an authority administering council tax reduction;
- 'relevant week' In relation to any particular day, means the week within which the day in question falls;
- 'resident' has the meaning it has in Part 1 or 2 of the 1992 Act;
- 'self-employed earner' is to be construed in accordance with section 2(1)(b) of the Act;
- 'self-employment route' means assistance in pursuing self-employed earner's employment whilst participating in–
- (a) an employment zone programme;
 - (b) a programme provided or other arrangements made pursuant to section 2 of the 1973 Act (functions of the Secretary of State) or section 2 of the Enterprise and New Towns (Scotland) Act 1990 (functions in relation to training for employment, etc.);
 - (c) the Employment, Skills, and Enterprise Scheme;
 - (d) a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;
 - (e) Back to Work scheme.
- 'single applicant' means an applicant who neither has a partner nor is a lone parent;
- 'the Skipton Fund' means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme's provisions.
- 'special account' means an account as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker's Allowance Regulations or Chapter 5 of Part 10 of the Employment and Support Allowance Regulations;
- 'sports award' means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc. Act 1993 out of sums allocated to it for distribution under that section;
- 'the SSCBA' means the Social Security Contributions and Benefits Act 1992
- 'State Pension Credit Act' means the State Pension Credit Act 2002;
- 'student' has the meaning prescribed in section 43;
- 'subsistence allowance' means an allowance which an employment zone contractor has agreed to pay to a person who is participating in an employment zone programme;
- 'reduction week' means a period of 7 consecutive days commencing upon a Monday and ending on a Sunday;
- 'the Tax Credits Act' means the Tax Credits Act 2002;
- 'tax year' means a period beginning with 6th April in one year and ending with 5th April in the next;
- 'training allowance' means an allowance (whether by way of periodical grants or otherwise) payable–
- (a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise, the Young People's Learning Agency for England, the Chief Executive of Skills Funding or Welsh Ministers;
 - (b) to a person for his maintenance or in respect of a member of his family; and
 - (c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, the department or approved by the department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers.

It does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the 1973 Act or is training as a teacher;

‘the Trusts’ means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No. 2) Trust;

‘Universal Credit’ means any payment of Universal Credit payable under the Welfare Reform Act 2012, the Universal Credit Regulations 2013, The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013, Universal Credit (Miscellaneous Amendments) Regulations 2013 and the Universal Credit (Transitional Provisions) Regulations 2014;

‘Uprating Act’ means the Welfare Benefit Up-rating Act 2013, the Welfare Benefits Up-rating Order 2014, and the Welfare Benefits Up-rating Order 2015;

‘voluntary organisation’ means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

‘war disablement pension’ means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;

‘war pension’ means a war disablement pension, a war widow’s pension or a war widower’s pension;

‘war widow’s pension’ means any pension or allowance payable to a woman as a widow under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

‘war widower’s pension’ means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

‘water charges’ means;

(a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,

(b) as respects Scotland, any water and sewerage charges established by Scottish Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002, in so far as such charges are in respect of the dwelling which a person occupies as his home;

‘week’ means a period of seven days beginning with a Monday;

‘Welfare Reform Act’ means the Welfare Reform Act 2007;

‘Working Tax Credit Regulations’ means the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 as amended.

2.2 In this policy, where an amount is to be rounded to the nearest penny, a fraction of a penny shall be disregarded if it is less than half a penny and shall otherwise be treated as a whole penny.

2.3 For the purpose of this policy, a person is on an income-based jobseeker’s allowance on any day in respect of which an income-based jobseeker’s allowance is payable to him and on any day;

(a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker’s allowance but where the allowance is not paid in accordance with regulation 27A of the Jobseeker’s Allowance Regulations or section 19 or 20A or regulations made under section 17A of the Jobseekers Act (circumstances in which a jobseeker’s allowance is not payable); or

(b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income-based jobseeker’s allowance is payable to him or would be payable to him but for regulation 27A of the Jobseeker’s Allowance Regulations or section 19 or 20A or regulations made under section 17A of that Act;

(c) in respect of which he is a member of a joint-claim couple for the purposes of the Jobseekers Act and no joint-claim jobseeker’s allowance is payable in respect of that couple as a consequence of either member of that couple being subject to sanctions for the purposes of section 20A of that Act;

(d) in respect of which an income-based jobseeker’s allowance or a joint-claim jobseeker’s

allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).

- 2.4 For the purposes of this policy, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support allowance is payable to him and on any day;
- (a) in respect of which he satisfies the conditions for entitlement to an income-related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act disqualification; or
 - (b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act and which falls immediately before a day in respect of which an income-related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.
- 2.5 For the purposes of this policy, two persons shall be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.
- 2.6 In this policy, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).

3.0 Requirement to provide a National Insurance Number

- 3.1 No person shall be entitled to reduction unless the criteria below in 3.2 is satisfied in relation both to the person making the claim and to any other person in respect of whom he is claiming reduction.
- 3.2 This subsection is satisfied in relation to a person if–
- (a) the claim for reduction is accompanied by;
 - i. a statement of the person’s national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - ii. information or evidence enabling the national insurance number that has been allocated to the person to be ascertained; or
 - (b) the person makes an application for a national insurance number to be allocated to him which is accompanied by information or evidence enabling such a number to be so allocated and the application for reduction is accompanied by evidence of the application and information to enable it to be allocated.
- 3.3 Paragraph 3.2 shall not apply–
- (a) in the case of a child or young person in respect of whom council tax reduction is claimed;
 - (b) to a person who;
 - i. is a person in respect of whom a claim for council tax reduction is made;
 - ii. is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act;
 - iii. is a person from abroad for the purposes of this scheme; and
 - iv. has not previously been allocated a national insurance number.

4.0 Persons who have attained the qualifying age for state pension credit.

- 4.1 This scheme applies to a person if:
- (i) he has not attained the qualifying age for state pension credit; or
 - (ii) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is;
 - (a) a person on income support, on income-based jobseeker’s allowance or an income-related employment and support allowance; or
 - (b) a person with an award of universal credit.

5.0 Persons treated as not being in Great Britain and Persons Subject to Immigration Control

Persons treated as not being in Great Britain

- 5.1 Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.
- 5.2 Except where a person falls within paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland.
- 5.3 A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland unless the person has a right to reside in one of those places.
- 5.4 For the purposes of paragraph (3), a right to reside does not include a right, which exists by virtue of, or in accordance with—
- (a) regulation 13 of the EEA Regulations;
 - (aa) regulation 14 of the EEA Regulations, but only in a case where the right exists under that regulation because the person is—
 - (i) a jobseeker for the purpose of the definition of “qualified person” in regulation 6(1) of those Regulations, or
 - (ii) a family member (within the meaning of regulation 7 of those Regulations) of such a jobseeker;
 - (b) regulation 15A(1) of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph (5) of that regulation of the Treaty on the Functioning of the European Union (in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of their rights as a European Union citizen).
- 5.4A For the purposes of paragraph (3), a right to reside does not include a right which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—
- (a) (Removed by the Council Tax Reductions Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021
 - (b) Appendix EU to the immigration rules made under section 3(2) of that Act;
 - (c) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or
 - (d) having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.
- 5.4B Paragraph (4A)(b) does not apply to a person who—
- (a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and
- would have a right to reside under the EEA Regulations if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (4)(a) or (b)
- 5.5 A person falls within this paragraph if the person is—
- (za) a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971, where such leave is granted by virtue of—
 - (i) the Afghan Relocations and Assistance Policy; or
 - (ii) the previous scheme for locally employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme);

- (zb) a person in Great Britain not coming within sub-paragraph (za) or (e) who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021;
- (zc) a person in Great Britain who was residing in Ukraine immediately before 1st January 2022, left Ukraine in connection with the Russian invasion which took place on 24th February 2022 and—
 - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;
- (zd) a person who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights, or Lebanon immediately before 7th October 2023, left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights, or Lebanon in connection with the Hamas terrorist attack in Israel on 7th October 2023 or the violence which rapidly escalated in the region following the attack and—
 - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971,
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act, or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;
- (ze) a person who was residing in Sudan before 15th April 2023, left Sudan in connection with the violence which rapidly escalated on 15th April 2023 in Khartoum and across Sudan and—
 - (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;
 - (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or
 - (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act
- (a) a qualified person for the purposes of regulation 6 of the EEA Regulations as a worker or a self-employed person;
- (b) a family member of a person referred to in sub-paragraph (a);
- (c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;
- (ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (4A)(b), provided that the relevant person of Northern Ireland falls within paragraph (5)(a), or would do so but for the fact that they are not an EEA national;
- (cb) a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020;
- (cc) a family member of a person referred to in sub-paragraph (cb), who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971
- (d) a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967;
- (e) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971
- (f) a person who has humanitarian protection granted under those rules;
- (g) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion, or other removal by compulsion of law from another country to the United Kingdom;

- (h) in receipt of income support or on an income-related employment and support allowance; or
- (ha) in receipt of an income-based jobseeker's allowance and has a right to reside other than a right to reside falling within paragraph (4).

5.6 A person falls within this paragraph if the person is a Crown servant or member of Her Majesty's forces posted overseas.

5.7 A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.

5.8 In this regulation—
 "claim for asylum" has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;
 "Crown servant" means a person holding an office or employment under the Crown;
 "EEA Regulations" means the Immigration (European Economic Area) Regulations 2006; and the Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2014 and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020
 "EEA national" has the meaning given in regulation 2(1) of the EEA Regulations;
 "family member" has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) of the EEA Regulations does not apply for the purposes of paragraphs (4B) and (5)(ca);
 "relevant person of Northern Ireland" has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971; and
 "Her Majesty's forces" has the same meaning as in the Armed Forces Act 2006.

Persons subject to immigration control

5.9 Persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.

5.10 A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance (done in Paris on 11th December 1953) or a state which has ratified the Council of Europe Social Charter (signed in Turin on 18th October 1961) and who is lawfully present in the United Kingdom is not a person subject to immigration control for the purpose of paragraph 5.9.

5.11 "Person subject to immigration control" has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

6.0 Transitional provision

6.1 The above does not apply to a person who, on 31st March 2015—

- (a) is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A (2) of the Act; and
- (b) is entitled to an income-based jobseeker's allowance, until the first of the events in paragraph 6.2 occurs.

6.2 The events are—

- (a) the person makes a new application for a reduction under an authority's scheme established under section 13A (2) of the Act; or

(b) the person ceases to be entitled to an income-based jobseeker's allowance.

6.3 In this section "the Act" means the Local Government Finance Act 1992.

7.0 Temporary Absence (period of absence)

7.1 Where a person is absent from the dwelling throughout any day then no reduction shall be payable.

7.2 A person shall not, in relation to any day, which falls within a period of temporary absence from that dwelling, be a prescribed person under paragraph 7.1.

7.3 In paragraph 7.2, a 'period of temporary absence' means—

(a) a period of absence not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation where and for so long as;

- i. the person resides in that accommodation;
- ii. the part of the dwelling in which he usually resided is not let or sub-let; and
- iii. that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,

where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;

(b) a period of absence not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as;

- i. the person intends to return to the dwelling;
- ii. the part of the dwelling in which he usually resided is not let or sub-let; and
- iii. that period is unlikely to exceed 13 weeks; and

(c) a period of absence not exceeding 52 weeks, beginning with the first whole day of absence, where and for so long as

- i. the person intends to return to the dwelling;
- ii. the part of the dwelling in which he usually resided is not let or sub-let;
- iii. the person is a person to whom paragraph 7.4 applies; and
- iv. the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period.

7.4 This paragraph applies to a person who is;

(a) detained in custody on remand pending trial or required, as a condition of bail, to reside;

- i. in a dwelling, other than the dwelling referred to in paragraph 7.1, or
- ii. in premises approved under section 13 of the Offender Management Act 2007 as amended by the Offender Rehabilitation Act 2014, or, detained in custody pending sentence upon conviction;

(b) resident in a hospital or similar institution as a patient;

(c) undergoing, or his partner or his dependent child is undergoing, in the United Kingdom or elsewhere, medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;

(d) following, in the United Kingdom or elsewhere, a training course;

(e) undertaking medically approved care of a person residing in the United Kingdom or elsewhere;

(f) undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care of medical treatment;

(g) in the United Kingdom or elsewhere, receiving medically approved care provided in accommodation other than residential accommodation;

(h) a student;

(i) receiving care provided in residential accommodation other than a person to whom paragraph 7.3a) applies; or

(j) has left the dwelling he resides in through fear of violence, in that dwelling, or by a

person who was formerly a member of the family of the person first mentioned.

- 7.5 This paragraph applies to a person who is:
- (a) detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983 (as amended by the Mental Health (Discrimination) Act 2013); and
 - (b) on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952.
- 7.6 Where paragraph 7.5 applies to a person, then, for any day when he is on temporary release–
- (a) if such temporary release was immediately preceded by a period of temporary absence under paragraph 7.3 b) or c), he shall be treated, for the purposes of paragraph 7.1, as if he continues to be absent from the dwelling, despite any return to the dwelling;
 - (b) for the purposes of paragraph 7.4 a), he shall be treated as if he remains in detention;
 - (c) If he does not fall within sub-paragraph a), he is not considered to be a person who is liable to pay Council Tax in respect of a dwelling of which he is resident.
- 7.7 In this section;
- ‘medically approved’ means certified by a medical practitioner;
 - ‘patient’ means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution; ‘residential accommodation’ means accommodation which is provided;
 - (a) in a care home;
 - (b) in an independent hospital;
 - (c) in an Abbeyfield Home; or
 - (d) in an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;
 - ‘training course’ means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

8.0 Membership of a family

- 8.1 Within the reduction scheme adopted by the Council ‘family’ means;
- (a) a married or unmarried couple;
 - (b) married or unmarried couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person;
 - (c) two people of the same sex who are civil partners of each other and are members of the same household (with or without children);
 - (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners (with or without children),
 - (e) and for the purposes of sub-paragraph (d) two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex;
 - (f) except in prescribed circumstances, a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or a young person;

For the purposes of the scheme a child is further defined as a ‘child or young person’

A ‘child’ means a person under the age of 16 and a ‘Young Person’ is someone aged 16 or over but under 20 and who satisfies other conditions. These conditions are:

- they are aged 16, have left 'relevant education' or training, and 31 August following the sixteenth birthday has not yet been passed;
- they are aged 16 or 17, have left education or training, are registered for work,

education or training, are not in remunerative work and are still within their 'extension period';

- they are on a course of full-time non-advanced education, or are doing 'approved training', and they began that education or training before reaching the age of 19;
- they have finished a course of full-time non-advanced education, but are enrolled on another such course (other than one provided as a result of their employment);
- they have left 'relevant education' or 'approved training' but have not yet passed their 'terminal date'.

- 8.2 Paragraph 8.1 the definition of child or young person shall not apply to a person who is;
- (a) on income support;
 - (b) an income-based jobseeker's allowance or an income related employment and support allowance; or be entitled to an award of Universal Credit; or
 - (c) a person to whom section 6 of the Children (Leaving Care) Act 2000 applies.

- 8.3 The definition also includes a child or young person in respect of whom there is an entitlement to child benefit but only for the period that Child Benefit is payable.

9.0 Circumstances in which a person is to be treated as responsible (or not responsible) for a child or young person.

- 9.1 Subject to the following paragraphs a person shall be treated as responsible for a child or young person who is normally living with him, and this includes a child or young person.

- 9.2 Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person shall be treated for the purposes of paragraph 9.1 as normally living with;
- a. the person who is receiving child benefit in respect of him; or
 - b. if there is no such person;
 - i. where only one claim for child benefit has been made in respect of him, the person who made that claim; or
 - ii. in any other case the person who has the primary responsibility for him.

- 9.3 For the purposes of this scheme a child or young person shall be the responsibility of only one person in any reduction week and any person other than the one treated as responsible for the child or young person under this section shall be treated as not so responsible.

10.0 Circumstances in which a child or young person is to be treated as being or not being a member of the household.

- 10.1 Subject to paragraphs 10.2 and 10.3, the applicant and any partner and, where the applicant or his partner is treated as responsible for a child or young person, that child or young person and any child of that child or young person, shall be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.

- 10.2 A child or young person shall not be treated as a member of the applicant's household where he is;
- (a) placed with the applicant or his partner by a local authority under section 23(2)(a) of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act, or in Scotland boarded out with the applicant or his partner under a relevant enactment; or
 - (b) placed with the applicant or his partner prior to adoption; or
 - (c) placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002.

- 10.3 Subject to paragraph (4), paragraph (1) shall not apply to a child or young person who is not

living with the applicant and he–

- (a) is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or
- (b) has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
- (c) has been placed for adoption in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009; or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes).

10.4 The authority shall treat a child or young person to whom paragraph (3a) applies as being a member of the applicant’s household in any reduction week where;

- (a) that child or young person lives with the applicant for part or all of that reduction week; and
- (b) the authority considers that it is responsible to do so taking into account the nature and frequency of that child’s or young person’s visits.

10.5 In this paragraph ‘relevant enactment’ means the Army Act 1955, the Air Force Act 1955, the Naval Discipline Act 1957, the Matrimonial Proceedings (Children) Act 1958, the Social Work (Scotland) Act 1968, the Family Law Reform Act 1969, the Children and Young Persons Act 1969, the Matrimonial Causes Act 1973, the Children Act 1975, the Domestic Proceedings and Magistrates’ Courts Act 1978, the Adoption and Children (Scotland) Act 1978, the Family Law Act 1986, the Children Act 1989, the Children (Scotland) Act 1995 and the Legal Aid, Sentencing and Punishment of Offenders Act 2012 as amended.

11.0 Calculation of income and capital of members of applicant’s family and of a polygamous marriage

11.1 The income and capital of an applicant’s partner within this scheme and for the purposes of claiming council tax reduction is to be treated as income and capital of the applicant and shall be calculated or estimated in accordance with the following provisions in like manner as for the applicant; and any reference to the ‘applicant’ shall, except where the context otherwise requires be construed for the purposes of this scheme as if it were a reference to his partner.

11.2 Where an applicant or the partner of is married polygamously to two or more members of his household–

- (a) the applicant shall be treated as possessing capital and income belonging to each such member; and
- (b) the income and capital of that member shall be calculated in accordance with the following provisions of this scheme in like manner as for the applicant.

11.3 The income and capital of a child or young person shall not be treated as the income and capital of the applicant.

12.0 Calculation of income and capital: persons who have an award of universal credit.

12.1 Any universal credit data or notification received by the authority may be used as a claim for reduction or in the assessment of council tax reduction including data received from the Secretary of State where the applicant no longer qualifies for a universal credit award.

12.2 In determining the income of an applicant;

- (a) who has, or
- (b) who (jointly with his partner) has,

an award of universal credit the authority may use the calculation or estimate of the income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit. The authority may use any other assessment based on the information provided by the Secretary of State.

- 12.3 The authority may adjust the amount referred to in sub-paragraph (2) to take account of
- (a) income consisting of the award of universal credit;
 - (b) any sum to be disregarded in the calculation of earnings;
 - (c) any sum to be disregarded in the calculation of income other than earnings; and
 - (d) any sum which may be disregarded as housing costs;
- 12.4 The amount for the award of universal credit is to be determined by multiplying the amount of the award by 12 and dividing the product by 52.
- 12.5 In determining the capital of an applicant;
- (a) who has, or
 - (b) who (jointly with his partner) has,
- an award of universal credit, the authority must use the calculation or estimate of the capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining that award.
- 13.0 Calculation of income on a weekly basis**
- 13.1 For the purposes of this scheme the income of an applicant shall be calculated on a weekly basis by estimating the amount which is likely to be his average weekly income.
- 14.0 Average weekly earnings of employed earners.**
- 14.1 Where an applicant's income consists of earnings from employment as an employed earner his average weekly earnings shall be estimated by the authority by reference to his actual earnings over a period determined by the authority as reasonable.
- 14.2 Where the applicant is recently employed and cannot furnish the appropriate evidence, the authority may require the applicant's employer to furnish an estimate of the applicant's likely weekly earnings over such period as the authority may require and the applicant's average weekly earnings shall be estimated by reference to that estimate.
- 14.3 Where the amount of an applicant's earnings changes during an award the authority shall estimate his average weekly earnings by reference to his likely earnings from the employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately.
- 15.0 Average weekly earnings of self-employed earners**
- 15.1 Where an applicant's income consists of earnings from employment as a self-employed earner his average weekly earnings shall be estimated by reference to his earnings from that employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately.
- 16.0 Average weekly income other than earnings**
- 16.1 An applicant's income which does not consist of earnings shall be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately.
- 17.0 Calculation of average weekly income from tax credits**
- 17.1 Where this section applies, the period over which a tax credit is to be taken into account shall be the period set out in paragraph (2)
- 17.2 Where the instalment in respect of which payment of a tax credit is made is;
- (a) a daily instalment, the period is 1 day, being the day in respect of which the instalment is

- paid;
- (b) a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;
- (c) a two-weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;
- (d) a four-weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.

17.3 For the purposes of this section 'tax credit' means child tax credit or working tax credit.

18.0 Calculation of weekly income

18.1 For the purposes of this scheme where the period in respect of which a payment is made;

- (a) does not exceed a week, the weekly amount shall be the amount of that payment;
- (b) exceeds a week, the weekly amount shall be determined–
 - i. in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - ii. in any other case, by dividing the amount of the payment by the number equal to the number of days in the period to which it relates and multiplying the quotient by 7.

18.2 The weekly amount of earnings of an applicant shall be determined by dividing his earnings over the assessment period by the number equal to the number of days in that period and multiplying the quotient by 7.

19.0 Earnings of employed earners.

19.1 Earnings means in the case of employment as an employed earner, any remuneration or profit derived from that employment and includes–

- (a) any bonus or commission;
- (b) any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;
- (c) any payment in lieu of notice, or any lump sum payment intended as compensation for the loss of employment but only in so far as it represents loss of income;
- (d) any holiday pay except any payable more than 4 weeks after termination or interruption of the employment;
- (e) any payment by way of a retainer;
- (f) any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of–
- (g) (i) travelling expenses incurred by the applicant between his home and his place of employment;
- (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;
- (h) any award of compensation made under section 112(4) or 117(3)(a) of the Employment Rights Act 1996 (remedies and compensation for unfair dismissal);
- (i) any payment or remuneration made under section 28, 34, 64, 68 or 70 of the Employment Rights Act 1996 (right to guarantee payments, remuneration on suspension on medical or maternity grounds, complaints to employment tribunals);
- (j) any such sum as is referred to in section 112 of the Act (certain sums to be earnings for social security purposes);
- (k) any statutory sick pay, statutory maternity pay, statutory paternity pay, or statutory adoption pay, or a corresponding payment under any enactment having effect in Northern Ireland;
- (l) any remuneration paid by or on behalf of an employer to the applicant who for the time being is on maternity leave, paternity leave or adoption leave or is absent from work because he is ill;

(m) the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001 as amended.

19.2 Earnings shall not include—

- (a) any payment in kind;
- (b) any payment in respect of expenses wholly, exclusively, and necessarily incurred in the performance of the duties of employment;
- (c) any occupational pension

20.0 Calculation of net earnings of employed earners.

20.1 For the purposes of this scheme, the earnings of an applicant derived or likely to be derived from employment as an employed earner to be taken into account shall be his net earnings.

20.2 Net earnings shall be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less;

- (a) any amount deducted from those earnings by way of
 - i) income tax;
 - ii) primary Class 1 National Insurance contributions
- (b) one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;
- (c) one-half of the amount calculated in accordance with paragraph 26.5 in respect of any qualifying contribution payable by the applicant;
- (d) less any amounts specified in Schedule 4 of this scheme in relation to child care charges.

20.3 In this section 'qualifying contribution' means any sum which is payable periodically as a contribution towards a personal pension scheme.

20.4 The amount in respect of any qualifying contribution shall be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this section the daily amount of the qualifying contribution shall be determined—

- (a) where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
- (b) in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.

20.5 Where the earnings of an applicant are estimated an appropriate estimate of net earnings shall be determined in line with paragraph (3) above.

21.0 Earnings of self-employed earners

21.1 'Earnings', in the case of employment as a self-employed earner, means the gross income of the employment

21.2 'Earnings' shall not include any payment in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority or voluntary organisation in respect of persons temporarily in the applicant's care nor shall it include any sports award.

21.3 This paragraph applies to—

- (a) royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trademark; or
- (b) any payment in respect of any—
 - (i) book registered under the Public Lending Right Scheme 1982; or
 - (ii) work made under any international public lending right scheme that is analogous to

the Public Lending Right Scheme 1982, where the applicant is the first owner of the copyright, design, patent or trademark, or an original contributor to the book of work concerned.

22.0 Calculation of net profit of self-employed earners

- 22.1 For the purposes of this scheme the earnings of an applicant to be taken into account shall be;
- (a) in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;
 - (b) in the case of a self-employed earner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less—
 - i. an amount in respect of income tax and of national insurance contributions payable under this scheme; and
 - ii. one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.
- 22.2 The net profit of the employment must be calculated by taking into account the earnings for the employment over the assessment period less;
- (a) any expenses wholly and exclusively incurred in that period for the purposes of that employment;
 - (b) an amount in respect of;
 - i. income tax, and
 - ii. national insurance contributions payable calculated in accordance with section 22; and
 - iii. one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.
- 22.3 For the purposes of paragraph (1b) the net profit of the employment shall be calculated by taking into account the earnings of the employment over the assessment period less, any expenses wholly and exclusively incurred in that period for the purposes of the employment.
- 22.4 No deduction shall be made under paragraph (3 a) or (4), in respect of—
- (a) any capital expenditure;
 - (b) the depreciation of any capital asset;
 - (c) any sum employed or intended to be employed in the setting up or expansion of the employment;
 - (d) any loss incurred before the beginning of the assessment period;
 - (e) the repayment of capital on any loan taken out for the purposes of the employment;
 - (f) any expenses incurred in providing business entertainment, and
 - (g) any debts, except bad debts proved to be such, but this sub-paragraph shall not apply to any expenses incurred in the recovery of a debt.
- 22.5 A deduction shall be made under paragraph (3 a) or (4) in respect of the repayment of capital on any loan used for—
- (a) the replacement in the course of business of equipment or machinery; and
 - (b) the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.
- 22.6 The authority shall refuse to make deduction in respect of any expenses where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.
- 22.7 For the avoidance of doubt—
- (a) deduction shall not be made in respect of any sum unless it has been expended for the purposes of the business;
 - (b) a deduction shall be made thereunder in respect of—
 - i. the excess of any value added tax paid over value added tax received in the

- assessment period;
- ii. any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
- iii. any payment of interest on a loan taken out for the purposes of the employment

22.8 Where an applicant is engaged in employment, as a child minder the net profit of the employment shall be one-third of the earnings of that employment, less an amount in respect of

- (a) income tax; and
- (b) national insurance contributions calculated in accordance with section 22 (and
- (c) one-half of the amount any qualifying pension contribution in accordance with (11)
- (d) less any amounts specified in Schedule 4 of this scheme in relation to child care disregards.

22.9 For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner, and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments shall not be offset against his earnings in any other of his employments.

22.10 The amount in respect of any qualifying premium shall be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this section the daily amount of the qualifying premium shall be determined;

- (a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and divided the product by 365;
- (b) in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.

22.11 In this section, 'qualifying premium' means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of claim.

23.0 Deduction of tax and contributions of self-employed earners

23.1 The amount to be deducted in respect of income tax under section 28 shall be calculated on the basis of the amount of chargeable income and as if that income were assessable to income tax at the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under section 257(1) of the Income and Corporation Taxes Act 1988(personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate is to be applied and the amount of the personal reliefs deductible under this paragraph shall be calculated on a pro rata basis.

23.2 The amount to be deducted in respect of national insurance contributions under section shall be the total of—

- (a) the amount of Class 2 National Insurance contributions payable at the rate applicable to the assessment period except where the applicant's chargeable income is less than the amount specified in section 11(4) of the Act (small profits threshold) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year shall be reduced pro rata; and
- (b) the amount of Class 4 contributions (if any) which would be payable under section 15 of the Act (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits shall be reduced pro rata.

23.3 In this section 'chargeable income' means—

- (a) the earnings derived from the employment less any expenses deducted under section

22;

- (b) in the case of employment as a child minder, one-third of the earnings of that employment.

24.0 Calculation of income other than earnings

- 24.1 For the purposes of this scheme, the income of an applicant which does not consist of earnings to be taken into account shall be his gross income and any capital treated as income under section 25.
- 24.2 There shall be disregarded from the calculation of an applicant's gross income any sum, where applicable, specified in Schedule 2.
- 24.3 Where the payment of any benefit under the benefit Acts is subject to any deduction by way of recovery the amount to be taken into account shall be the gross amount payable.
- 24.4 Where the applicant or, where he is a member of a couple, his partner is receiving a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations, the amount of that benefit to be taken into account is the amount as if it had not been reduced.
- 24.5 Where an award of any working tax credit or child tax credit under the Tax Credits Act is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account shall be the amount of working tax credit or child tax credit awarded less the amount of that deduction.
- 24.6 'Tax year' means a period beginning with 6th April in one year and ending with 5th April in the next.
- 24.7 Paragraphs (7),(8), (9) and (10) apply to any applicant who is a student. Paragraph (8) and (9) apply where a relevant payment has been made to a person in an academic year; and that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.
- 24.8 Where a relevant payment is made quarterly, the amount of a relevant payment to be taken into account for the assessment period for the purposes of paragraph (1) in respect of a person to whom paragraph (7) applies, shall be calculated by applying the formula—
$$\frac{A - (B \times C)}{D}$$

Where;
A = the total amount of the relevant payment which that person would have received had he remained a student until he last day of the academic term in which he abandoned, or was dismissed from, his course;
B = the number of reduction weeks from the reduction week immediately following that which includes the first day of that academic year to the reduction week which includes the day on which the person abandoned, or was dismissed from, his course;
C = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to council tax reduction immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;
D = the number of reduction weeks in the assessment period.
- 24.9 Where a relevant payment is made by two or more instalments in a quarter, the amount of a relevant payment to be taken into account for the assessment period for the purposes of paragraph (1) in respect of a person to whom paragraph (8) applies, shall be calculated by applying the formula in paragraph (8) but as if—

A = the total amount of relevant payments which that person received, or would have received, from the first day of the academic year to the day the person abandoned the course or was dismissed from it.

- 24.10 In this section– ‘academic year’ and ‘student loan’ shall have the same meanings as for the purposes of this scheme, ‘assessment period’ means–
- (a) in a case where a relevant payment is made quarterly, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes the last day of the last quarter for which an instalment of the relevant payment was payable to that person;
 - (b) in a case where the relevant payment is made by two or more instalments in a quarter, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes–
 - i. the day immediately before the day on which the next instalment of the relevant payment would have been due had the payments continued; or
 - ii. the last day of the last quarter for which an instalment of the relevant payment was payable to that person.

whichever of those date is earlier.

‘quarter’ in relation to an assessment period means a period in that year beginning on;

- (a) 1st January and ending on 31st March;
- (b) 1st April and ending on 30th June;
- (c) 1st July and ending on 31st August; or
- (d) 1st September and ending on 31st December;

‘relevant payment’ means either a student loan or an amount intended for the maintenance of dependants.

25.0 Capital treated as income and Notional Income

- 25.1 Any payment received under an annuity shall be treated as income.
- 25.2 Any earnings to the extent that they are not a payment of income shall be treated as income.
- 25.3 Any Career Development Loan paid pursuant to section 2 of the 1973 Act shall be treated as income.
- 25.4 Where an agreement or court order provides that payments shall be made to the applicant in consequence of any personal injury to the applicant and that such payments are to be made, wholly or partly, by way of periodic payments, any such periodic payments received by the applicant (but not a payment which is treated as capital), shall be treated as income.
- 25.6 An applicant shall be treated as possessing income of which he has deprived himself for the purpose of securing entitlement of reduction or increasing the amount of that reduction.
- 25.7 Except in the case of–
- (a) a discretionary trust;
 - (b) a trust derived from a payment made in consequence of a personal injury;
 - (c) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund where the applicant has not attained the qualifying age for state pension credit;
 - (d) rehabilitation allowance made under section 2 of the 1973 Act;
 - (e) child tax credit; or
 - (f) working tax credit,

any income which would become available to the applicant upon application being made, but which has not been acquired by him, shall be treated as possessed by the applicant but only

from the date on which it could be expected to be acquired were an application made.

25.8 Any payment of income made—

- (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under or by a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
- (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) shall, where it is not a payment referred to in sub-paragraph a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
- (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) shall be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.

25.9 This section shall not apply in respect of a payment of income made—

- (a) under the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006);
- (b) pursuant to section 19(1)(a) of the Coal Industry Act 1994 (concessionary coal);
- (c) pursuant to section 2 of the 1973 Act in respect of a person's participation—
 - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations;
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
 - (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
 - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations or;
 - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
- (d) in respect of a previous participation in the Mandatory Work Activity Scheme;
- (e) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
 - (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration, or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
 - (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
 - (iii) the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

25.10 Where an applicant is in receipt of any benefit under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority shall treat the applicant as possessing such benefit at the altered rate from 1st April in that year.

25.11 Where—

- (a) applicant performs a service for another person; and
- (b) that person makes no payment of earnings or pays less than that paid for a comparable employment in the area, the authority shall treat the applicant as possessing such earnings (if any) as is reasonable for that employment unless the applicant satisfies the

authority that the means of that person are insufficient for him to pay or to pay more for the service.

25.12 Paragraph (11) shall not apply–

- (a) to an applicant who is engaged by a charitable or voluntary organisation or who is a volunteer if the authority is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or
- (b) in a case where the service is performed in connection with–
 - (i) the applicant’s participation in an employment or training programme in accordance with regulation 19(1)(q) of the Jobseeker’s Allowance Regulations, other than where the service is performed in connection with the applicant’s participation in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations or
 - (ii) the applicant’s or the applicant’s partner’s participation in an employment or training programme as defined in regulation 19(3) of those Regulations for which a training allowance is not payable or, where such an allowance is payable, it is payable for the sole purpose of reimbursement of travelling or meal expenses to the person participating in that programme ; or
- (c) to an applicant who is participating in a work placement approved by the Secretary of State (or a person providing services to the Secretary of State) before the placement starts.

25.13 ‘Work placement’ means practical work experience which is not undertaken in expectation of payment.

25.14 Where an applicant is treated as possessing any income under this section, the foregoing provisions of this scheme shall apply for the purposes of calculating the amount of that income as if a payment has actually been made and as if it were actual income which he does possess.

25.15 Where an applicant is treated as possessing any earnings under this section his net earnings shall be calculated by taking into account those earnings which he is treated as possessing, less;

- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the starting rate or, as the case may be, the starting rate and the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 257(1) of the Income and Corporation Taxes Act 1988 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the starting rate of tax is to be applied and the amount of the personal relief deductible under this subparagraph shall be calculated on a pro rate basis;
- (b) an amount equivalent to the amount of the primary Class 1 National Insurance contributions that would be payable by him in respect of those earnings if such contributions were payable; and
- (c) one-half of any sum payable by the applicant by way of a contribution towards an occupational or personal pension scheme.

26.0 Capital limit

26.1 For the purposes of this scheme, the prescribed amount is £6,000 (subject to Schedule 3 of this scheme) and no reduction shall be granted when the applicant has an amount greater than this level.

27.0 Calculation of capital

27.1 For the purposes of this scheme, the capital of an applicant to be taken into account shall, subject to paragraph (2), be the whole of his capital calculated in accordance with this scheme and any income treated as capital under this scheme.

27.2 There shall be disregarded from the calculation of an applicant’s capital under paragraph (1),

any capital, where applicable, specified in Schedule 3.

28.0 Disregard of capital of child and young person

28.1 The capital of a child or young person who is a member of the applicant's family shall not be treated as capital of the applicant.

29.0 Income treated as capital.

29.1 Any amount derived from employment and paid at intervals of at least one year shall be treated as capital.

29.2 Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E shall be treated as capital.

29.3 Any holiday pay which is not earnings shall be treated as capital.

29.4 Any income derived from capital shall be treated as capital but only from the date it is normally due to be credited to the applicant's account.

29.5 In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant's employer shall be treated as capital.

29.6 Any charitable or voluntary payment which is not made or due to be made at regular intervals, other than a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Independent Living Fund (2006) or the London Bombings Charitable Relief Fund, shall be treated as capital.

29.7 There shall be treated as capital the gross receipts of any commercial activity carried on by a person in respect of which assistance is received under the self-employment route, but only in so far as those receipts were payable into a special account during the period in which that person was receiving such assistance.

29.8 Any arrears of subsistence allowance which are paid to an applicant as a lump sum shall be treated as capital.

29.9 Any arrears of working tax credit or child tax credit shall be treated as capital.

30.0 Calculation of capital in the United Kingdom

30.1 Capital which an applicant possesses in the United Kingdom shall be calculated at its current market or surrender value less—

- a. where there would be expenses attributable to the sale, 10 per cent.; and
- b. the amount of any encumbrance secured on it;

31.0 Calculation of capital outside the United Kingdom

31.1 Capital which an applicant possesses in a country outside the United Kingdom shall be calculated:

- (a) in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value.
- (b) in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer, less, where there would be expenses attributable to sale, 10 per cent. and the amount of any encumbrances secured on it.

32.0 Notional capital

- 32.1 An applicant shall be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to council tax reduction or increasing the amount of that reduction except to the extent that that capital is reduced in accordance with section 33.
- 32.2 Except in the case of
- (a) a discretionary trust; or
 - (b) a trust derived from a payment made in consequence of a personal injury; or
 - (c) any loan which would be obtained only if secured against capital disregarded under Schedule 3; or
 - (d) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund; or
 - (e) any sum to Schedule 3 refers; or
 - (f) child tax credit; or
 - (g) working tax credit,
- any capital which would become available to the applicant upon application being made, but which has not been acquired by him, shall be treated as possessed by him but only from the date on which it could be expected to be acquired were an application made.
- 32.3 Any payment of capital, other than a payment of capital specified in paragraph (4), made;
- (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
 - (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) shall, where it is not a payment referred to in subparagraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
 - (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) shall be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.
- 32.4 Paragraph 32.3 shall not apply in respect of a payment of capital made:
- (a) under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation, or the London Bombings Relief Charitable Fund;
 - (b) pursuant to section 2 of the 1973 Act in respect of a person's participation:
 - i. in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations;
 - ii. in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
 - iii. in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
 - iv. in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
 - v. in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
 - (c) in respect of a person's participation in the Mandatory Work Activity Scheme;
 - (d) Enterprise Scheme;
 - (e) in respect of an applicant's participation in the Employment, Skills, and Enterprise Scheme or Back to Work Scheme;
 - (f) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
 - vi. a bankruptcy order has been made in respect of the person in respect of whom the

payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;

- vii. the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
- viii. the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

32.5 Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case;

- (a) the value of his holding in that company shall be disregarded; and
- (b) he shall be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this Section shall apply for the purposes of calculating that amount as if it were actual capital which he does possess.

32.6 For so long as the applicant undertakes activities in the course of the business of the company, the amount which, he is treated as possessing under paragraph (5) shall be disregarded.

32.7 Where an applicant is treated as possessing capital under any of paragraphs (1) and (2) the foregoing provisions of this Section shall apply for the purposes of calculating its amount as if it were actual capital, which he does possess.

33.0 Diminishing notional capital rule.

33.1 Where an applicant is treated as possessing notional capital the amount which he is treated as possessing shall be reduced by the amount calculated by the authority as the weekly amount of council tax reduction lost due to the inclusion of the notional capital within the calculation.

33.1 The authority shall determine the frequency by which the notional capital is reduced.

34.0 Capital jointly held.

34.1 Where an applicant and one or more persons are beneficially entitled in possession to any capital asset they shall be treated as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this Section shall apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess.

35.0 Students - Student related definitions

35.1 In this scheme the following definitions apply;

'academic year' means the period of twelve months beginning on 1st January 1st April 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course shall be considered to begin in the autumn rather than the summer;

'access funds' means;

- (a) grants made under section 68 of the Further and Higher Education Act 1992 for the purpose of providing funds on a discretionary basis to be paid to students;
- (b) grants made under section 73(a) and (c) and 74(1) of the Education (Scotland) Act 1980;
- (c) grants made under Article 30 of the Education and Libraries (Northern Ireland) Order 1993 or grants, loans or other payments made under Article 5 of the Further Education (Northern Ireland) Order 1997 in each case being grants, or grants, loans or other payments as the case may be, for the purpose of assisting students in financial difficulties;
- (d) discretionary payments, known as "learner support funds", which are made available to

- students in further education by institutions out of funds provided by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding under sections 100 and 101 of the Apprenticeships, Skills, Children and Learning Act 2009; or
- (e) Financial Contingency Funds made available by the Welsh Ministers;

'college of further education' means a college of further education within the meaning of Part 1 of the Further and Higher Education (Scotland) Act 1992;

'contribution' means;

- (a) any contribution in respect of the income of a student or any person which the Secretary of State, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student's grant or student loan; or
- (b) any sums, which in determining the amount of a student's allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority consider that it is reasonable for the following person to contribute towards the holder's expenses;
- (i) the holder of the allowance or bursary;
 - (ii) the holder's parents;
 - (iii) the holders parent's spouse, civil partner or a person ordinarily living with the holder's parent as if he or she were the spouse or civil partner of that parent; or
 - (iv) the holder's spouse or civil partner;

'course of study' means any course of study, whether or not it is a sandwich course and whether or not a grant is made for attending or undertaking it;

'covenant income' means the gross income payable to a full-time student under a Deed of Covenant by his parent;

'education authority' means a government department, a local education authority as defined in section 12 of the Education Act 1996 (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973 an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986, any body which is a research council for the purposes of the Science and Technology Act 1965 or any analogous government department, authority, board or body of the Channel Island, Isle of Man or any other country outside Great Britain;

'full-time course of study' means a full-time course of study which;

- (a) is not funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers or a full-time course of study which is not funded in whole or in part by the Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers;
- (b) is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out—
- (i) in the case of a course funded by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding, in the student's learning agreement signed on behalf of the establishment which is funded by either of those persons for the delivery of that course; or
 - (ii) in the case of a course funded by the Welsh Ministers, in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or
- (c) is not higher education and is funded in whole or in part by the Scottish Ministers at a college of further education and involves—
- (i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
 - (ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by the teaching staff where the combined total of hours

exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

'full-time student' means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

'grant' means any kind of educational grant or award and includes any scholarship, studentship, exhibition allowance or bursary;

'grant income' means;

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

'higher education' means higher education within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992; 'last day of the course' means;

- (a) in the case of a qualifying course, the date on which the last day of that course falls or the date on which the final examination relating to that course is completed, whichever is the later;
- (b) in any other case, the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

'period of study' means—

- (a) in the case of a course of study for one year or less, the period beginning with the start of the course and ending with the last day of the course;
- (b) in the case of a course of study for more than one year, in the first or, as the case may be, any subsequent year of the course, other than the final year of the course, the period beginning with the start of the course or, as the case may be, the year's start and ending with either—
 - (i) the day before the start of the next year of the course in a case where the student's grant or loan is assessed at a rate appropriate to his studying throughout the year, or, if he does not have a grant or loan, where a loan would have been assessed at such a rate had he had one; or
 - (ii) in any other case, the day before the start of the normal summer vacation appropriate to his course;
- (c) in the final year of a course of study of more than one year, the period beginning with that year's start and ending with the last day of the course;

'periods of experience' means periods of work experience which form part of a sandwich course;

'qualifying course' means a qualifying course as defined for the purposes of Parts 2 and 4 of the Jobseeker's Allowance Regulations;

'modular course' means a course of study which consists of two or more modules, the successful completion of a specified number of which is required before a person is considered by the educational establishment to have completed the course.

'sandwich course' has the meaning prescribed in regulation 2(9) of the Education (Student Support) Regulations 2008, regulation 4(2) of the Education (Student Loans), (Scotland), Regulations 2007 or regulation 2(8) of the Education (Student Support) Regulations (Northern Ireland) 2007, as the case may be;

'standard maintenance grant' means—

- (a) except where paragraph (b) or (c) applies, in the case of a student attending or undertaking a course of study at the University of London or an establishment within the area comprising the City of London and the Metropolitan Police District, the amount specified for the time being in paragraph 2(2)(a) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 ('the 2003 Regulations') for such a student;
- (b) except where paragraph (c) applies, in the case of a student residing at his parent's home, the amount specified in paragraph 3 thereof;
- (c) in the case of a student receiving an allowance or bursary under the Education (Scotland) Act 1980, the amount of money specified as 'standard maintenance allowance' for the relevant year appropriate for the student set out in the Student Support in Scotland Guide issued by the student Awards Agency for Scotland, or its nearest equivalent in the case of a bursary provided by a college of further education or a local education authority;
- (d) in any other case, the amount specified in paragraph 2(2) of Schedule 2 to the 2003 Regulations other than in sub-paragraph (a) or (b) thereof;

'student' means a person, other than a person in receipt of a training allowance, who is attending or undertaking–

- (a) a course of study at an educational establishment; or
- (b) a qualifying course;

'student loan' means a loan towards a student's maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998, section 73 of the Education (Scotland) Act 1980 or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 and shall include, in Scotland, a young student's bursary paid under regulation 4(1)(c) of the Student's Allowances (Scotland) Regulations 2007

35.2 For the purposes of the definition of 'full-time student', a person shall be regarded as attending or, as the case may be, undertaking a full-time course of study or as being on a sandwich course;

- (a) in the case of a person attending or undertaking a part of a modular course which would be a full-time course of study for the purposes of this Part, for the period beginning on the day on which that part of the course starts and ending;
 - (i) on the last day on which he is registered with the educational establishment as attending or undertaking that part as a full-time course of study; or
 - (ii) on such earlier date (if any) as he finally abandons the course or is dismissed from it;
- (b) in any other case, throughout the period beginning on the date on which he starts attending or undertaking the course and ending on the last day of the course or on such earlier date (if any) as he finally abandons it or is dismissed from it.

35.3 For the purposes of sub-paragraph (a) of paragraph 43.2, the period referred to in that sub-paragraph shall include;

- a. where a person has failed examinations or has failed to successfully complete a module relating to a period when he was attending or undertaking a part of the course as a full-time course of study, any period in respect of which he attends or undertakes the course for the purpose of retaking those examinations or that module;
- b. any period of vacation within the period specified in that paragraph or immediately following that period except where the person has registered with the educational establishment to attend or undertake the final module in the course and the vacation immediately follows the last day on which he is required to attend or undertake the course.

36.0 Students who are excluded from entitlement to council tax reduction.

36.1 Students except those defined in paragraph (3) are not able to claim Council tax reduction under Classes D of the authority's reduction scheme.

36.2 To be eligible for reduction, the student must be liable for Council Tax under Section 6 of the Local Government Finance Act 1992, and they must not be deemed to be a full-time student or a person from abroad within the meaning of section 7 of this scheme (persons from abroad).

36.3 Paragraph 36.2 shall not apply to a student;

- (a) who is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance;
- (b) who is a lone parent;
- (c) who is in receipt of a Personal Independence Payment;
- (d) who has a partner who is also a full-time student, if he or that partner is treated as responsible for a child or young person;
- (e) (who is a single applicant with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989,
- (f) who is;
 - (i) aged under 21 and whose course of study is not a course of higher education, or
 - (ii) a qualifying young person or child within the meaning of section 142 of the Act (child and qualifying young person);

- (g) in respect of whom
- i) a supplementary requirement has been determined under paragraph 9 of Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003;
 - ii) an allowance, or as the case may be, bursary has been granted which includes a sum under paragraph (1)(d) or regulation 4 of the Students' Allowances (Scotland) Regulations 1999 or, as the case may be, under paragraph (1)(d) of regulation 4 of the Education Authority (Bursaries) (Scotland) Regulations 1995, in respect of expenses incurred;
 - iii) a payment has been made under section 2 of the Education Act 1962 or under or by virtue of regulations made under the Teaching and Higher Education Act 1998;
 - iv) a grant has been made under regulation 13 of the Education (Student Support) Regulations 2005 or under regulation 13 of the Education (Student Support) Regulations (Northern Ireland) 2000; or
 - v) a supplementary requirement has been determined under paragraph 9 of Schedule 6 to the Students Awards Regulations (Northern Ireland) 1999 or a payment has been made under Article 50(3) of the Education and Libraries (Northern Ireland) Order 1986,

on account of his disability by reason of deafness.

36.4 For the purposes of paragraph (3(f)(i)) the student must have begun or been enrolled or accepted onto the course before attaining the age of 19.

36.5 The reference to a course of higher education is a reference to a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.

36.6 An intercalating student may be eligible for a reduction if the following circumstances are met:

- (a) at any time during an academic year, with the consent of the relevant educational establishment, he ceases to attend or undertake a course because he is;
 - (i) engaged in caring for another person; or
 - (ii) ill;
- (b) he has subsequently ceased to be engaged in engaging in caring for that person or, as the case may be, he has subsequently recovered from that illness; and
- (c) he is not eligible for a grant or a student loan in respect of the period specified in paragraph (7).

36.7 The period specified for the purposes of paragraph (6) is the period, not exceeding one year, beginning on the day on which he ceased to be engaged in caring for that person or, as the case may be, the day on which he recovered from that illness and ending on the day before;

- (a) the day on which he resumes attending or undertaking the course; or
 - (b) the day from which the relevant educational establishment has agreed that he may resume attending or undertaking the course,
- which shall first occur.

37.0 Students - Calculation of grant income

37.1 The amount of a student's grant income to be taken into account shall, subject to paragraphs (2) and (3), be the whole of his grant income.

37.2 There shall be excluded from a student's grant income any payment;

- (a) intended to meet tuition fees or examination fees;
- (b) in respect of the student's disability;
- (c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;

- (d) on account of the student maintaining a home at a place other than that at which he resides during his course;
- (e) on account of any other person but only if that person is residing outside of the United Kingdom and there is no applicable amount in respect of him;
- (f) intended to meet the cost of books and equipment;
- (g) intended to meet travel expenses incurred as a result of his attendance on the course;
- (h) intended for the childcare costs of a child dependant.
- (i) of higher education bursary for care leavers made under Part III of the Children Act 1989.

37.3 Where a student does not have a student loan and is not treated as possessing such a loan, there shall be excluded from the student's grant income;

- (a) the sum of £303 per academic year in respect of travel costs; and
- (b) the sum of £390 per academic year towards the costs of books and equipment, whether or not any such costs are incurred.

37.4 There shall also be excluded from a student's grant income the grant for dependants known as the parents' learning allowance paid pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 or section 22 of the Teaching and Higher Education Act 1998.

37.5 Subject to paragraphs (6) and (7), a student's grant income shall be apportioned;

- (a) subject to paragraph (8), in a case where it is attributable to the period of study, equally between the weeks in that period beginning with the reduction week, the first day of which coincides with, or immediately follows the first day of the period of study and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study;
- (b) in any other case, equally between the weeks in the period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable.

37.6 Any grant in respect of dependants paid under section 63(6) of the Health Services and Public Health Act 1968 (grants in respect of the provision of instruction to officers of hospital authorities) and any amount intended for the maintenance of dependants under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2004 shall be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.

37.7 In a case where a student is in receipt of a student loan or where he could have acquired a student loan by taking reasonable steps but had not done so, any amount intended for the maintenance of dependants shall be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.

37.8 In the case if a student on a sandwich course, any periods of experience within the period of study shall be excluded and the student's grant income shall be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which immediately follows the last day of the period of experience and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study.

38.0 Students- Calculation of covenant income where a contribution is assessed.

38.1 Where a student is in receipt of income by way of a grant during a period of study and a contribution has been assessed, the amount of his covenant income to be taken into account for that period and any summer vacation immediately following shall be the whole amount of the covenant income less, subject to paragraph (3), the amount of the contribution.

- 38.2 The weekly amount of the student's covenant shall be determined—
- (a) by dividing the amount of income which falls to be taken into account under paragraph (1) by 52 or 53, whichever is reasonable in the circumstances; and
 - (b) by disregarding from the resulting amount, £5.

39.0 Students - Covenant income where no grant income or no contribution is assessed.

39.1 Where a student is not in receipt of income by way of a grant the amount of his covenant income shall be calculated as follows;

- (a) any sums intended for any expenditure specified in the calculation of grant income necessary as a result of his attendance on the course shall be disregarded;
- (b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, shall be apportioned equally between the weeks of the period of study;
- (c) there shall be disregarded from the amount so apportioned the amount which would have been disregarded in the calculation of grant income had the student been in receipt of the standard maintenance grant; and
- (d) the balance, if any, shall be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 shall be disregarded.

39.2 Where a student is in receipt of income by way of a grant and no contribution has been assessed, the amount of his covenanted income shall be calculated in accordance with sub-paragraphs (a) to (d) of paragraph (1).

40.0 Students - Covenant Income and Grant income – non-disregard

40.1 No part of a student's covenant income or grant income shall be disregarded under this scheme.

41.0 Treatment of student loans

41.1 A student loan shall be treated as income.

41.2 In calculating the weekly amount of the loan to be taken into account as income;

- (a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period shall be apportioned equally between the weeks in the period beginning with;
 - (i) except in a case where (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of the single academic year;
 - (ii) where the student is required to start attending the course in August or where the course is less than an academic year's duration, the reduction week, the first day of which coincides with, or immediately follows, the first day of the course, and ending with the reduction week, the last day of which coincides with, or immediately precedes with last day of the course,
- (b) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year shall be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year and ending with the reduction week, the last day of which coincides with or immediately precedes, the last day of that academic year but excluding any reduction weeks falling entirely within the quarter during which, in the opinion of the Secretary of State, the longest of any vacation is taken and for the purposes of this sub-paragraph, 'quarter' shall have the same meaning as for the purposes of the Education (Student Support) Regulations 2005;
- (c) in respect of the final academic year of a course (not being a course of a single year's duration), a loan which is payable in respect of that final academic year shall be apportioned equally between the weeks in the period beginning with;

(i) except in a case where (ii) applies, the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year;

(ii) where the final academic year starts on 1st September, the reduction week, the first day of which coincide with, or immediately follows, the earlier of 1st September or the first day of the autumn term, and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

(d) in any other case, the loan shall be apportioned equally between the weeks in the period beginning with the earlier of;

(i) the first day of the first reduction week in September; or

(ii) the reduction week, the first day of which coincides with, or immediately follows the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

and, in all cases, from the weekly amount so apportioned there shall be disregarded £10.

41.3 A student shall be treated as possessing a student loan in respect of an academic year where;

(a) a student loan has been made to him in respect of that year; or

(b) he could acquire such a loan in respect of that year by taking reasonable steps to do so.

41.4 Where a student is treated as possessing a student loan under paragraph (3), the amount of the student loan to be taken into account as income shall be, subject to paragraph (5).

(a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to

(i) the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so; and

(ii) any contribution whether or not it has been paid to him;

(b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if;

(i) he took all reasonable steps to obtain the maximum student loan he is able to acquire in respect of that year; and

(ii) no deduction in that loan was made by virtue of the application of a means test.

41.5 There shall be deducted from the amount of income taken into account under paragraph (4)

(a) the sum of £303 per academic year in respect of travel costs; and

(b) the sum of £390 per academic year towards the cost of books and equipment, whether or not any such costs are incurred.

42.0 Students - Treatment of fee loans

42.1 A loan for fees, known as a fee loan or a fee contribution loan, made pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998, section 22 of the Teaching and Higher Education Act 1998 or section 73(f) of the Education (Scotland) Act 1980, shall be disregarded as income.

43.0 Students - Treatment of payments from access funds

43.1 A payment from access funds, other than a payment to which paragraph 43.2 applies, shall be disregarded as income.

- 43.2 a) any payments from access funds which are intended and used for an item of food, ordinary clothing or footwear, household fuel, or rent of a single applicant or, as the case may be, of the applicant or any other member of his family and
- b) any payments from access funds which are used for any council tax or water charges for which that applicant or member is liable, shall be disregarded as income to the extent of £20 per week.

43.3 Where a payment from access funds is made—

- (a) on or after 1st September or the first day of the course, whichever first occurs, but before receipt of any student loan in respect of that year and that payment is intended for the purpose of bridging the period until receipt of the student loan; or
- (b) before the first day of the course to a person in anticipation of that person becoming a student,
- that payment shall be disregarded as income.

44.0 Students - Disregard of contribution

44.1 Where the applicant or his partner is a student and for the purposes of assessing a contribution to the student's grant or student loan, the other partner's income has been taken into account, an amount equal to that contribution shall be disregarded for the purposes of assessing that other partner's income.

45.0 Further disregard of student's income

45.1 Where any part of a student's income has already been taken into account for the purpose of assessing his entitlement to a grant or student loan, the amount taken into account shall be disregarded in assessing that student's income.

46.0 Students - Income treated as capital.

46.1 Any amount by way of a refund of tax deducted from a student's covenant income shall be treated as capital.

46.2 Any amount paid from access funds as a single lump sum shall be treated as capital.

46.3 An amount paid from access fund as a single lump sum which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent, or which is used for an item other than any council tax or water charges for which that applicant or member is liable, shall be disregarded as capital but only for a period of 52 weeks from the date of the payment.

47.0 Students - Disregard of changes occurring during summer vacation.

47.1 In calculating a student's income the authority shall disregard any change in the standard maintenance grant, occurring in the recognised summer vacation appropriate to the student's course if that vacation does not form part of his period of study from the date on which the change occurred to the end of that vacation.

48.0 Maximum Council Tax Reduction

48.1 Subject to paragraphs (2) to (4), the amount of a person's maximum Council Tax Reduction in respect of a day for which he is liable to pay council tax, shall be 100 per cent, of the amount A divided by B where;

- (a) A is the amount set by the appropriate authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and
- (b) B is the number of days in that financial year,

In this paragraph “relevant financial year” means, in relation to any particular day, financial year within which the day in question falls.

48.2 In calculating a person’s maximum Council Tax Reduction any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act, shall be taken into account.

48.3 Subject to paragraph (4), where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons but excepting any person so residing with the applicant who is a student who is excluded from entitlement to Council Tax Reduction applies, in determining the maximum Council Tax Reduction in his case in accordance with paragraph (1), the amount A shall be divided by the number of persons who are jointly and severally liable for that tax.

48.4 Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, paragraph (3) shall not apply in his case.

49.0 Date on which entitlement is to begin.

49.1 Subject to paragraph (2), any person to whom or in respect of whom a claim for council tax reduction is made and who is otherwise entitled to that reduction shall be so entitled from the date on which that claim is made or is treated as made.

49.2 Where a person is otherwise entitled to council tax reduction and becomes liable for the first time for the authority’s council tax in respect of a dwelling of which he is a resident in the reduction week in which his claim is made or is treated as made, he shall be so entitled from the date of claim.

50.0 Date on which change of circumstances is to take effect.

50.1 A change of circumstances which affects entitlement to, or the amount of, a reduction under the authority’s scheme (“change of circumstances”), takes effect from the date on which the change actually occurs.

50.2 Where the change of circumstances is that income, or an increase in the amount of income, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances shall take effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

51.0 Making an application.

51.1 In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines.

51.2 Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and;

- (a) a deputy has been appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
- (b) in Scotland, his estate is being administered by a judicial factor or any guardian

- acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or
- (c) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,

that deputy, judicial factor, guardian or attorney, as the case may be, may make an application on behalf of that person.

- 51.3 Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, the authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under the authority's scheme and to receive and deal on his behalf with any sums payable to him.
- 51.4 Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).
- 51.5 Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (4);
- (a) it may at any time revoke the appointment;
- (b) the person appointed may resign his office after having given 4 weeks' notice in writing to the authority of his intention to do so;
- (c) any such appointment terminates when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).
- 51.6 Anything required by the authority's scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge to the authority for any sum paid.
- 51.7 The authority must;
- (a) inform any person making an application of the duty imposed on them
- (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and
- (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

52.0 Procedure by which a person may apply for a reduction under the authority's scheme¹

52.1. Paragraphs 2 to 7 apply to an application made under the authority's scheme.

52.2. An application may be made;

- (a) in writing,
- (b) by means of an electronic communication in accordance with Part 4 of this Schedule, or
- (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.
- (d) a notification of Universal Credit or any legacy benefit from DWP, may be treated by the authority as a claim for reduction.

¹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- 52.3 An application which is made in writing must be made to the designated office on a properly completed form. The form must be provided free of charge by the authority for the purpose.
- 52.4 Where an application made in writing is defective because—
- (a) it was made on the form supplied for the purpose, but that form is not accepted by the authority as being properly completed; or
 - (b) it was made in writing but not on the form approved for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence,
- the authority may, in a case to which sub-paragraph (a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information and evidence.
- 52.5 An application made on a form provided by the authority is properly completed if it is completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.
- 52.6 If an application made by electronic communication is defective the authority must provide the person making the application with an opportunity to correct the defect. An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.
- 52.7 In a particular case the authority may determine that an application made by telephone is only valid if the person making the application approves a written statement of his circumstances provided by the authority.
- 52.8 If an application made by telephone is defective the authority must provide the person making the application with an opportunity to correct the defect. An application made by telephone is defective if the applicant does not provide all the information the authority requests during the telephone call.
- 52.9 Notwithstanding other paragraphs within this section, the authority will determine the method by which claims are to be made as well as where claims should be sent or delivered.
- 52.10 Where an applicant ('C') makes a claim which includes (or which C subsequently requests should include) a period before the claim is made, the authority may, at its discretion, treat the claim as made on an earlier date up to the first date of the financial year in which the request is received by the authority or up to 12 months from the date the claim is received, whichever is the earlier.
- 53.0 Date on which an application is made²**
- 53.1 Subject to sub-paragraph (7), the date on which an application is made is;
- (a) in a case where;
 - (i) an award of state pension credit which comprises a guarantee credit has been made to the applicant or his partner, and
 - (ii) the application for a reduction is made within one month of the date on which the claim for that state pension credit which comprises a guarantee credit was received at the appropriate DWP office,
 the first day of entitlement to state pension credit which comprises a guarantee credit arising from that claim;
 - (b) in a case where
 - (i) an applicant or his partner is a person in receipt of a guarantee credit,

² Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling he occupies as his home, and
- (iii) the application is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(c) in a case where;

- (i) an award of income support, an income-based jobseeker's allowance, or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and
- (ii) the application is made within one month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,

the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;

(d) in a case where;

- (i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
- (iii) the application is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(e) in a case where;

- (i) an applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under the authority's scheme, and
 - (ii) the applicant makes an application for a reduction under that scheme within one month of the date of the death or the separation,
- the date of the death or separation;

(f) except where paragraph (a), (b) or (e) is satisfied, in a case where a properly completed application is received within one month (or such longer period as the authority considers reasonable) of the date on which an application form was issued to an applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;

(g) in any other case, the date on which an application is received at the designated office.

53.2 For the purposes only of sub-paragraph (1)(c) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under;

(a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or

(b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days),

have been entitled to that allowance.

53.3 Where there is a defect in an application;

(a) is corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance;

(b) is not corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide the application.

- 53.4 The authority is to treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.
- 53.5 The conditions are that—
- (a) where the authority receives the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority may consider reasonable; or
 - (b) where an application is not on approved form or further information requested by authority applies;
 - (i) the approved form sent to the applicant is received at the offices of the authority properly completed within one month of it having been sent to him; or, as the case may be;
 - (ii) the applicant supplies whatever information or evidence was requested within one month of the request; or,
 in either case, within such longer period as the authority may consider reasonable; or
 - (c) where the authority has requested further information, the authority receives at its offices the properly completed application or the information requested to complete it within one month of the request or within such longer period as the authority considers reasonable.
- 53.6 Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to the authority but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under that authority's scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority must treat the application as having been made on the day on which the liability for the tax arises.
- 53.7 Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under the authority's scheme in the reduction week immediately following the date of his application, but the authority is of the opinion that unless there is a change of circumstances, he will be entitled to a reduction under its scheme for a period beginning not later than;
- (a) in the case of an application made by;
 - (i) a pensioner, or
 - (ii) a person who has attained, or whose partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit, the seventeenth reduction week following the date on which the application is made, or
 - (b) in the case of an application made by a person who is not a pensioner, the thirteenth reduction week following the date on which the application is made, the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.
- 53.8 In this paragraph "appropriate DWP office" means an office of the Department for Work and Pensions.
- 54.0 Submission of evidence electronically**
- 54.1 The authority may accept such evidence, documents and certificates to support the claim electronically where it feels that this would be acceptable given the nature of the claim.
- 55.0 Use of telephone provided evidence**
- 55.1 The authority may accept such evidence to support the claim by telephone where it feels that this would be acceptable given the nature of the claim.

56.0 Information and evidence³

- 56.1 Subject to sub-paragraph (3), a person who makes an application for a reduction under an authority's scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.
- 56.2 This sub-paragraph is satisfied in relation to a person if—
- (a) the application is accompanied by;
 - (i) a statement of the person's national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - (ii) information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or
 - (b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by;
 - (i) evidence of the application for a national insurance number to be so allocated; and
 - (ii) the information or evidence enabling it to be so allocated.
- 56.3 Sub-paragraph (2) does not apply;
- (a) in the case of a child or young person in respect of whom an application for a reduction is made;
 - (b) to a person who;
 - (i) is a person treated as not being in Great Britain for the purposes of this scheme;
 - (ii) is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and
 - (iii) has not previously been allocated a national insurance number.
- 56.4 Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under the authority's scheme has been awarded, must furnish such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by that authority in order to determine that person's entitlement to, or continuing entitlement to a reduction under its scheme and must do so within one month of the authority requiring him to do so or such longer period as the authority may consider reasonable.
- 56.5 Nothing in this paragraph requires a person who is a pensioner to furnish any certificates, documents, information or evidence relating to a payment to which sub-paragraph (7) applies.
- 56.6 Where the authority makes a request under sub-paragraph (4), it must;
- (a) inform the applicant or the person to whom a reduction under its scheme has been awarded of his duty under paragraph 9 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and
 - (b) without prejudice to the extent of the duty owed under paragraph 9, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which must be notified.
- 56.7 This sub-paragraph applies to any of the following payments;
- (a) a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund; and
 - (b) a payment which is disregarded under paragraph 24 of Schedule 5, other than a payment under the Independent Living Fund (2006);
- 56.8 Where an applicant or a person to whom a reduction under the authority's scheme has been

³ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following information;

- (a) the name and address of the pension fund holder;
- (b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.

57.0 Amendment and withdrawal of application⁴

- 57.1 A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the designated office.
- 57.2 Where the application was made by telephone the amendment may also be made by telephone.
- 57.3 Any application amended is to be treated as if it had been amended in the first instance.
- 57.4 A person who has made an application may withdraw it by notice to the designated office at any time before a decision has been made on it.
- 57.5 Where the application was made by telephone, the withdrawal may also be made by telephone.
- 57.6 Any notice of withdrawal given in accordance with sub-paragraph (4) or (5) has effect when it is received.
- 57.7 Where a person, by telephone, amends or withdraws an application the person must (if required to do so by the authority) confirm the amendment or withdrawal by a notice in writing delivered or sent to the designated office.

58.0 Duty to notify changes of circumstances⁵

- 58.1 Subject to sub-paragraphs (3), (6) and (7), an applicant (or any person acting on his behalf) must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time;
 - (a) between the making of an application and a decision being made on it, or
 - (b) after the decision is made (where the decision is that the applicant is entitled to a reduction under the authority's scheme) including at any time while the applicant is in receipt of such a reduction.
- 58.2 The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under the authority's scheme (a "relevant change of circumstances") by giving notice to the authority;
 - (a) in writing; or
 - (b) by telephone—
 - (i) where the authority has published a telephone number for that purpose unless the authority determines that in any particular case or class of case notification may not be given by telephone; or
 - (ii) in any case or class of case where the authority determines that notice may be given by telephone; or
 - (c) by any other means which the authority agrees to accept in any particular case, within a period of one month beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.

⁴ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

⁵ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

58.3 The duty imposed on a person by sub-paragraph (1) does not extend to notifying;
(a) changes in the amount of council tax payable to the authority;
(b) changes in the age of the applicant or that of any member of his family;
(c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under the authority's scheme to which he is entitled, other than the cessation of that entitlement to the benefit.

58.4 For the purposes of sub-paragraph (3)(c) "relevant benefit" means income support, an income-based jobseeker's allowance or an income-related employment and support allowance or universal credit.

58.5 Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer such a person because he has ceased to be a child or young person.

58.6 All changes in circumstances should be notified to the authority in writing (or by whatever format agreed by the authority) within one calendar month of the happening of the event or change in circumstance. This timescale may be extended at the discretion of the authority. Where such a change is not received within that timescale and where the change would increase the level of reduction payable, the authority may use a date later than the actual change of circumstances.

59.0 Decisions by the authority⁶

59.1 The authority must make a decision on an application under its scheme within 14 days or as soon as reasonably practicable thereafter.

60.0 Notification of decision⁷

60.1 The authority must notify in writing any person affected by a decision made by it under its scheme;
(a) in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;
(b) in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.

60.2 Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement;
(a) informing the person affected of the duty imposed by paragraph 9(1);
(b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and
(c) setting out the circumstances a change in which might affect entitlement to the reduction or its amount.

60.3 Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.

60.4 In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in the authority's scheme relating to the procedure for making an appeal.

⁶ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

⁷ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- 60.5 A person affected to whom the authority sends or delivers a notification of decision may, within one month of the date of the notification of that decision request in writing the authority to provide a written statement setting out the reasons for its decision on any matter set out in the notice.
- 60.6 The written statement referred to in sub-paragraph (5) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.
- 60.7 For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under its scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (8).
- 60.8 This sub-paragraph applies to—
- (a) the applicant;
 - (b) in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act;
 - (i) a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
 - (ii) in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000(3) who has power to apply or, as the case may be, receive benefit on the person's behalf; or
 - (iii) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,
 - (c) a person appointed by the authority to act for a person unable to act.

61.0 Time and manner of granting council tax reduction⁸

- 61.1 Where a person is entitled to a reduction under this authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year ("the chargeable year"), the authority must discharge his entitlement;
- (a) by reducing, so far as possible, the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers; or
 - (b) where;
 - (i) such a reduction is not possible; or
 - (ii) such a reduction would be insufficient to discharge the entitlement to a reduction under the authority's scheme; or
 - (iii) the person entitled to the reduction is jointly and severally liable for the council tax and the authority determines that such a reduction would be inappropriate, by making payment to him of the amount of reduction to which he is entitled, rounded where necessary to the nearest penny.
- 61.2 The authority must notify the person entitled to a reduction under this scheme of the amount of that reduction and how his entitlement is to be discharged in pursuance of paragraph (1).
- 61.3 In a case to which paragraph (1)(b) refers;
- (a) if the amount of the council tax for which he remains liable in respect of the chargeable year, after any reduction to which sub-paragraph (1)(a) refers has been made, is insufficient to enable his entitlement to a reduction under the authority's scheme in respect thereof to be discharged, upon the final instalment of that tax becoming due any outstanding reduction;
 - (i) must be paid to that person if he so requires; or
 - (ii) in any other case must (as the authority determines) either be repaid or credited against any subsequent liability of the person to make a payment in respect of the

⁸ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- authority's council tax as it has effect for any subsequent year;
- (b) if that person has ceased to be liable for the authority's council tax and has discharged the liability for that tax, the outstanding balance (if any) of the reduction under the authority's scheme in respect thereof must be paid within 14 days or, if that is not reasonably practicable, as soon as practicable thereafter
- (c) in any other case, the reduction under the authority's scheme must be paid within 14 days of the receipt of the application at the offices of the authority or, if that is not reasonably practicable, as soon as practicable thereafter.

61.4 For the purposes of this paragraph "instalment" means any instalment of the authority's council tax to which regulation 19 of the Council Tax (Administration and Enforcement) Regulations 1992 refers (council tax payments).

62.0 Persons to whom reduction is to be paid⁹

62.1 Subject to paragraph (2), any payment of the amount of a reduction must be made to that person.

62.2 Where a person other than a person who is entitled to a reduction under this authority's scheme made the application for the reduction and that first person is a person acting pursuant to an appointment or is treated as having been so appointed, the amount of the reduction may be paid to that person.

63.0 Shortfall in reduction¹⁰

63.1 Where, on the revision of a decision allowing a reduction under the authority's scheme to a person, it is determined that the amount allowed was less than the amount to which that person was entitled, the authority must either;

- (a) make good any shortfall in reduction which is due to that person, by reducing so far as possible the next and any subsequent payments he is liable to make in respect of the council tax of the authority as it has effect for the chargeable financial year until that shortfall is made good; or
- (b) where this is not possible or the person concerned so requests, pay the amount of any shortfall in reduction due to that person within 14 days of the revision of the decision being made or if that is not reasonably practicable, as soon as possible afterwards.

64.0 Payment on the death of the person entitled¹¹

64.1 Where the person entitled to any reduction under this scheme has died and it is not possible to award the reduction which is due in the form of a reduction of the council tax for which he was liable, the authority must make payment of the amount of the reduction to his executor or administrator in accordance with regulation 58(4) of the Council Tax (Administration and Enforcement) Regulations 1992.

65.0 Offsetting

65.1 Where a person has been allowed or paid a sum of council tax reduction under a decision which is subsequently revised or further revised, any sum allowed or paid in respect of a period covered by the subsequent decision shall be offset against arrears of entitlement under the subsequent decision except to the extent that the sum exceeds the arrears and shall be treated as properly awarded or paid on account of them.

⁹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹⁰ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

¹¹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

66.0 Payment where there is joint and several liability¹²

- 66.1 Where;
- (a) a person is entitled to a reduction under the authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year;
 - (b) the person entitled to the reduction is jointly and severally liable for the council tax; and
 - (c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992(7) refers would be inappropriate,
- it may make a payment to him of the amount of the reduction to which he is entitled, rounded where necessary to the nearest penny.
- 66.2 Subject to sub-paragraph (3) any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.
- 66.3 Where a person other than a person who is entitled to a reduction under the authority's scheme made the application and that first person is a person acting pursuant to an appointment this scheme or is treated as having been so appointed, the amount of the reduction may be paid to that person.

67.0 Use of information from and to the Department of Work and Pensions (DWP) and Her Majesty's Revenues and Customs (HMRC)

- 67.1 The authority will use information provided by the DWP and HMRC for the purposes of Council Tax Reduction, council tax liability, billing, administration and enforcement as outlined within Schedule 2 of the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012 and the Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2013
- 67.2 Where required by the relevant department and where required by law, the authority will share information obtained for Council Tax Reduction with the DWP or HMRC as appropriate and in accordance with Data Protections requirements¹³..

68.0 Collection of information

- 68.1 The authority may receive and obtain information and evidence relating to claims for council tax reduction, the council may receive or obtain the information or evidence from–
- (a) persons making claims for council tax reduction;
 - (b) other persons in connection with such claims;
 - (c) other local authorities; or
 - (d) central government departments including the DWP and HMRC
- 68.2 The authority may verify relevant information supplied to or obtained.

69.0 Recording and holding information.

- 69.1 The authority may
- (a) may make a record of such information; and
 - (b) may hold that information, whether as supplied or obtained or recorded, for the purpose of forwarding it to the person or authority for the time being administering council tax reduction.

¹² Inserted by Schedule 8 of the Council Tax Reductions Scheme (Prescribed Requirements) (England) Regulations 2012

¹³ Data Retention and Investigatory Powers Act 2014 and Data Retention Regulations 2014

70.0 Forwarding of information.

70.1 The authority may forward it to the person or authority for the time being administering claims to or awards of council tax reduction to which the relevant information relates, being;

- (i) a local authority;
- (ii) a person providing services to a local authority; or
- (iii) a person authorised to exercise any function of a local authority relating to council tax reduction.

71.0 Persons affected by Decisions.

71.1 A person is to be treated as a person affected by a relevant decision of the authority where that person is;

- (a) an applicant;
- (b) in the case of a person who is liable to make payments in respect of a dwelling and is unable for the time being to act
 - (i) a Deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit or reduction on his behalf,
 - (ii) in Scotland, a tutor, curator, judicial factor or other guardian acting or appointed in terms of law administering that person's estate, or
 - (iii) an attorney with a general power or a power to receive benefit or reduction appointed by the person liable to make those payments under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise;
- (c) a person appointed by the authority under this scheme;

72.0 Terminations

72.1 The authority may terminate reduction in whole or in part the Council tax reduction where it appears to the authority that an issue arises whether;

- (a) the conditions for entitlement to Council tax reduction are or were fulfilled; or
- (b) a decision as to an award of such a reduction should be revised or superseded.

72.2 The authority may terminate, in whole or in part the Council tax reduction where it appears to the authority that an issue arises whether;

- (a) the conditions for entitlement to Council tax reduction are or were fulfilled; or
- (b) a decision as to an award of such a reduction should be revised or superseded.

Where the person fails to provide information to the authority as requested in relation to any matter relating to their liability for Council Tax

73.0 Procedure by which a person may make an appeal against certain decisions of the authority¹⁴

73.1 A person who is aggrieved by a decision of the authority, which affects;

- (a) the person's entitlement to a reduction under its scheme, or
 - (b) the amount of any reduction to which that person is entitled,
- may serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.

73.2 The authority must

- (a) consider the matter to which the notice relates;
- (b) notify the aggrieved person in writing;
 - (i) that the ground is not well founded, giving reasons for that belief; or
 - (ii) that steps have been taken to deal with the grievance, stating the steps taken.

73.3 Where, following notification under sub-paragraph (2)(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with sub-paragraph (2)(b)

¹⁴ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

within two months of the service of his notice, he may appeal to the valuation tribunal under section 16 of the 1992 Act¹⁵. Where, following notification under paragraph 2(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with paragraph 2(b) within two months of the service of his notice, he may appeal to a valuation tribunal under section 16 of the 1992 Act within four months of the service of his notice.

74.0 Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act¹⁶

74.1 An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act may be made;

- (a) in writing,
- (b) by means of an electronic communication in accordance this scheme or
- (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.

74.2 Where;

- (a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and
- (b) a person in that class would otherwise be entitled to a reduction under its scheme, that person's application for a reduction under the authority's scheme may also be treated as an application for a reduction under section 13A(1)(c).

75.0 Exceptional Hardship Scheme

75.1 The authority may provide additional help to an applicant who is entitled to reduction under its Exceptional Hardship Scheme.

75.2 Such payments shall be deemed to be made under S13A (1)(a) of the 1992 Act.

76.0 Interpretation for the use of electronic communication

76.1 In this Part;

"information" includes an application, a certificate, notice or other evidence; and
"official computer system" means a computer system maintained by or on behalf of an authority for sending, receiving, processing or storing of any information.

77.0 Conditions for the use of electronic communication

77.1 The authority may use an electronic communication in connection with applications for, and awards of, reductions under its scheme.

77.2 A person other than the authority may use an electronic communication in connection with the matters referred to in sub-paragraph (1) if the conditions specified in sub-paragraphs (3) to (6) are satisfied.

77.3 The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority.

77.4 The second condition is that the person uses an approved method of;

- (a) authenticating the identity of the sender of the communication;
- (b) electronic communication;
- (c) authenticating any application or notice delivered by means of an electronic

¹⁵ As amended by the Tribunal Procedure (Amendment No 3) Rules 2014

¹⁶ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- communication; and
- (d) subject to sub-paragraph (7), submitting to the authority any information.

77.5 The third condition is that any information sent by means of an electronic communication is in a form approved for the purposes.

77.6 The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.

77.7 Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.

77.8 In this paragraph “approved” means approved by means of a direction given by the Chief Executive of the authority for the purposes of this section.

78.0 Use of intermediaries

78.1 The authority may use intermediaries in connection with;

- (a) the delivery of any information by means of an electronic communication; and
- (b) the authentication or security of anything transmitted by such means,

and may require other persons to use intermediaries in connection with those matters.

79.0 Effect of delivering information by means of electronic communication.

79.1 Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of an authority’s scheme on the day the conditions imposed;

- (a) by this section; and
- (b) by or under an enactment,

are satisfied.

79.2 The authority may determine that any information is to be treated as delivered on a different day (whether earlier or later) from the day provided for in sub-paragraph (1).

79.3 Information may not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

80.0 Proof of identity of sender or recipient of information

80.1 If it is necessary to prove, for the purpose of any legal proceedings, the identity of—

- (a) the sender of any information delivered by means of an electronic communication to an official computer system; or
- (b) the recipient of any such information delivered by means of an electronic communication from an official computer system,

the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

81.0 Proof of delivery of information

81.1 If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this is presumed to have been the case where;

- (a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or
- (b) any such information has been delivered by the relevant authority if the delivery of that information has been recorded on an official computer system.

81.2 If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information, this is presumed not to be the case if that information delivered to the relevant authority has not been recorded on an official computer system.

81.3 If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt is presumed to be that recorded on an official computer system.

82.0 Proof of content of information

82.1 If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content is presumed to be that recorded on an official computer system.

83.0 Counter Fraud and compliance

83.1 In order to protect the finances of the authority and also in the interests of all council taxpayers, the authority will undertake such actions as allowed by law to;

- (a) Prevent and detect fraudulent claims and actions in respect of Council tax reduction;
- (b) Carry out investigations fairly, professionally and in accordance with the law; and
- (c) Ensure that sanctions are applied in appropriate cases.

83.2 The authority believes that it is important to minimise the opportunity for fraud and;

- (a) will implement rigorous procedures for the verification of claims for council tax reduction;
- (b) will employ sufficient Officers to fulfil the authority's commitment to combat fraud;
- (c) will actively tackle fraud where it occurs in accordance with this scheme;
- (d) will co-operate with the Department for Work and Pensions (DWP), Her Majesty's Revenues and Customs and take part in joint working including prosecutions; and
- (e) will in all cases seek to recover all outstanding council tax.

83.3 The authority shall put into place such administrative policies, procedures and processes as are necessary to ensure that the actions outlined within paragraph (1) and (2) can be carried out successfully. In particular the authority shall undertake actions provided by the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013.

Schedule 1

Calculation of the amount of Council Tax Reduction in accordance with the Discount Scheme.

- 1 The authority's Council Tax Reduction scheme from 2024/25 shall be calculated on the basis of the following Banded Discount Scheme:

Band	Discount (%)	Single person	Single person with one child	Single person with two children	Couple with no children	Couple with one child	Couple with two children
1	100	£0-155	£0-£210	£0-£265	£0-155	£0-£210	£0-£265
2	75	£155.01-£210	£210.01-£265	£265.01-£320	£155.01-£210	£210.01-£265	£265.01-£320
3	40	£210.01-£265	£265.01-£320	£320.01-£375	£210.01-£265	£265.01-£320	£320.01-£375
4	25	£265.01-£320	£320.01-£375	£375.01-£430	£265.01-£320	£320.01-£375	£375.01-£430
	0	Over £320	Over £375	Over £430	Over £320	Over £375	Over £430

- 2 The amount of discount to be granted is to be based on the following factors:
- The maximum Council Tax Reduction as defined within this scheme;
 - The Council Tax family as defined within this scheme.
 - The income of the applicant and partner as defined within this scheme;
 - The capital of the applicant and partner as defined within this scheme.
3. For the sake of clarity all incomes shown within the table above are weekly in accordance with the scheme requirements and definitions.
4. Discount bands vary depending on both weekly income and the household (family as defined within this scheme). For the sake of clarity, it should be noted that in any application for reduction is limited to a maximum of two dependant children or young persons.
5. Any applicant whose capital is greater than £6,000 shall not be entitled to any Council Tax Reduction whatsoever (subject to Schedule 3 Capital Disregards).
6. The authority **may** increase the level of incomes within the grid specified in paragraph 1 on an annual basis by the appropriate level of inflation decided by the Council.
7. *Where an applicant or partner is in receipt of Income Support, Income Related Employment and Support Allowance or Income Based Jobseeker's Allowance, discount will be awarded at Band 1 level.

Schedule 2

Sums to be disregarded in the calculation of income other than earnings.

1. Any amount paid by way of tax on income.
2. Any payment made to the claim and in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme.
3. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme or Back to Work Scheme, but only for 52 weeks beginning with the date of receipt of the payment.
3. Any payment in respect of any expenses incurred or to be incurred by an applicant who is–
 - (a) engaged by a charitable or voluntary organisation, or
 - (b) volunteer,
 if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under section 32.0 (notional income).
4. Any payment in respect of expenses arising out of the applicant's participation in a service user group.
5. In the case of employment as an employed earner, any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment.
6. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance the whole of his income.
7. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act and his partner is on an income-based jobseeker's allowance, the whole of the applicant's income.
8. Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No. 3) Regulations 1999 as in force at that date, the whole of his income.
9. Any disability living allowance or personal independence payment or AFIP
10. Any concessionary payment made to compensate for the non-payment of;
 - (a) income support;
 - (b) an income-based jobseeker's allowance.
 - (c) an income-related employment and support allowance.
11. Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.
12. Any attendance allowance.
13. Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.
14. (1) Any payment–
 - (a) by way of an education maintenance allowance made pursuant to;
 - (i) regulations made under section 518 of the Education Act 1996 (payment of school expenses; grant of scholarships etc.);
 - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act

- 1980 (power to assist persons to take advantage of educational facilities);
- (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2) of the Further and Higher Education (Scotland) Act 1992
- (b) corresponding to such an education maintenance allowance, made pursuant to;
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 - (ii) regulations made under section 181 of that Act; or

(69) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.

- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to;
 - (a) regulations made under section 518 of the Education Act 1996;
 - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
 - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2) of the Further and Higher Education (Scotland) Act 1992, in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).
- 15. Any payment made to the applicant by way of a repayment under regulation 11(2) of the Education (Teacher Student Loans) (Repayment etc.) Regulations 2002.
- 16 (1) Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 except a payment;
 - (a) made as a substitute for income support, a jobseeker's allowance, incapacity benefit, severe disablement allowance or an employment and support allowance;
 - (b) of an allowance referred to in section 2(3) of the 1973 Act or section 2(5) of the Enterprise and New Towns (Scotland) Act 1990; or
 - (c) intended to meet the cost-of-living expenses which relate to any one or more of the items specified in sub-paragraph (2) whilst an applicant is participating in an education, training or other scheme to help him enhance his employment prospects unless the payment is a Career Development Loan paid pursuant to section 2 of the 1973 Act and the period of education or training or the scheme, which is supported by that loan, has been completed.
- (2) The items specified in this sub-paragraph for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- 17 (1) Subject to sub-paragraph (2), any of the following payments;
 - (a) a charitable payment;
 - (b) a voluntary payment;
 - (c) a payment (not falling within sub-paragraph (a) or (b) above) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;
 - (d) a payment under an annuity purchased;
 - (i) pursuant to any agreement or court order to make payments to the applicant; or
 - (ii) from funds derived from a payment made, in consequence of any personal injury to the applicant; or
- (70) a payment (not falling within sub-paragraphs (a) to (d) received by virtue of any agreement or court order to make payments to the applicant in consequence of any personal injury to the applicant.

- (2) Sub-paragraph (1) shall not apply to a payment, which is made or due to be made by–
 - (a) a former partner of the applicant, or a former partner of any member of the applicant’s family; or
 - (b) the parent of a child or young person where that child or young person is a member of the applicant’s family.

- 18. 100% of any of the following, namely
 - (a) a war disablement pension (except insofar as such a pension falls to be disregarded under paragraph 9 or 10);
 - (b) a war widow’s pension or war widower’s pension;
 - l a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
 - (d) a guaranteed income payment;
 - l a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
 - (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
 - (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

- 19. £15 of any;
 - (a) widowed mother’s allowance paid pursuant to section 37 of the Act;
 - (b) widowed parent’s allowance paid pursuant to section 39A of the Act.

- 20. (1) Any income derived from capital to which the applicant is or is treated as beneficially entitled.

- 21. Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating–
 - (a) under, or pursuant to regulations made under powers conferred by, sections 1 or 2 of the Education Act 1962 or section 22 of the Teaching and Higher Education Act 1998, that student’s award;
 - (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student’s bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
 - (c) the student’s student loan,
 an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

- 22. (1) Where the applicant is the parent of a student aged under 25 in advanced education who either;
 - (a) is not in receipt of any award, grant or student loan in respect of that education; or
 - (b) is in receipt of an award under section 2 of the Education Act 1962 (discretionary awards) or an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980,
 and the applicant makes payments by way of a contribution towards the student’s maintenance, other than a parental contribution defined within this scheme.
 - (2) For the purposes of sub-paragraph (1), the amount shall be equal to–
 - (a) the weekly amount of the payments; or

- (b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b), whichever is less.
23. Any payment made to the applicant by a child or young person or a non- dependant.
24. Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person and there is a contractual liability to make payments to the applicant in respect of the occupation of the dwelling by that person or a member of his family–
- (a) where the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family, is less than £20, the whole of that amount; or
- (b) where the aggregate of any such payments is £20 or more per week, £20.
25. (1) Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for which such accommodation is provided for the whole or any part of a week, equal to–
- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20.00, 100 per cent. Of such payments;
- (b) where the aggregate of any such payments exceeds £20.00, £20.00 and 50 per cent. Of the excess over £20.00.
- (2) In this paragraph, ‘board and lodging accommodation’ means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises.
26. (1) Any income in kind, except where regulation 30(11)(b) (provision of support under section 95 or 98 of the Immigration and Asylum Act in the calculation of income other than earnings) applies.
- (2) The reference in sub-paragraph (1) to ‘income in kind’ does not include a payment to a third party made in respect of the applicant which is used by the third party to provide benefits in kind to the applicant.
27. Any income which is payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.
28. (1) Any payment made to the applicant in respect of a person who is a member of his family–
- (a) pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002 or in accordance or with a scheme approved by the Scottish Ministers under section 51A of the Adoption (Scotland) Act 1978(b) (schemes for payments of allowances to adopters); or in accordance with an Adoption Allowance Scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (Adoption Allowances Schemes)
- (b) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child’s maintenance where the child is living with a person as a result of a residence order) or in Scotland section 50 of the Children Act 1975 (payments towards maintenance of children);
- (c) which is a payment made by an authority, as defined in Article 2 of the Children Order, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child’s maintenance);

- (a) in accordance with regulations made pursuant to section 14F of the Children Act 1989(c) (special guardianship support services);
- (2) Any payment, other than a payment to which sub-paragraph (1)(a) applies, made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.
29. Any payment made to the applicant with whom a person is accommodated by virtue of arrangements made
- (a) by a local authority under–
- (i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),
- (ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or
- (iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or
- (71) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).
30. Any payment made to the applicant or his partner for a person ('the person concerned'), who is not normally a member of the applicant's household but is temporarily in his care, by–
- (a) a health authority;
- (b) a local authority but excluding payments of housing benefit made in respect of the person concerned;
- (c) a voluntary organisation;
- (d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;
- (e) a primary care trust established under section 16A of the National Health Service Act 1977 or established by an order made under section 18(2) of the National Health Service Act 2006; or
- (f) a Local Health Board established under section 16BA of the National Health Service Act 1977 or established by an order made under section 11 of the National Health Service (Wales) Act 2006
31. Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or section 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
32. (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ('A') which A passes on to the applicant.
- (2) Sub-paragraph (1) applies only where A;
- (a) was formerly in the applicant's care, and
- (b) is aged 18 or over, and continues to live with the applicant.
33. (1) Subject to sub-paragraph (2), any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments;
- (a) on a loan which is secured on the dwelling which the applicant occupies as his home; or
- (b) under a regulated agreement as defined for the purposes of the Consumer Credit Act 1974 or under a hire-purchase agreement or a conditional sale agreement as defined for the purposes of Part 3 of the Hire-Purchase Act 1964.
- (2) A payment referred to in sub-paragraph (1) shall only be disregarded to the extent that the payment received under that policy does not exceed the amounts, calculated on a weekly basis,

which are used to–

- (a) maintain the repayments referred to in sub-paragraph (1)(a) or, as the case may be, (b); and
- (b) meet any amount due by way of premiums on–
 - (i) that policy; or
 - (ii) in a case to which sub-paragraph(1)(a) applies, an insurance policy taken out to insure against loss or damage to any building or part of a building which is occupied by the applicant as his home, and which is required as a condition of the loan referred to in sub-paragraph (1)(a).

- 34. Any payment of income which is to be treated as capital.
- 35. Any social fund payment made pursuant to Part 8 of the Act (the Social Fund), or any local welfare provision as defined by the Social Security (Miscellaneous Amendments) Regulations 2013
- 36. Any payment under Part 10 of the Act (Christmas bonus for pensioners).
- 37. Where a payment of income is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 38. (1) Any payment made under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of–
 - (a) that person’s partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person’s death;
 - (b) any child who is a member of that person’s family or who was such a member and who is a member of the applicant’s family; or
 - (c) any young person who is a member of that person’s family or who was such a member and who is a member of the applicant’s family.
(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of;
 - (a) the person who is suffering from haemophilia or who is a qualifying person;
 - (b) any child who is a member of that person’s family or who was such a member and who is a member of the applicant’s family; or
 - (c) any young person who is a member of that person’s family or who was such a member and who is a member of the applicant’s family.
(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where;
 - (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person’s family; and
 - (b) the payment is made either;
 - (i) to that person’s parent or step-parent, or

(ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where;

(a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and

(b) the payment is made either

(i) to that person's parent or step-parent, or

(ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose support payment referred to in this paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation and the London Bombings Relief Charitable Fund.

39. An amount of Universal Credit determined by the authority as the housing element or disabled child element.
40. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
41. Any payment to a juror or witness in respect of attendance at a court other than compensation for loss of earnings or for the loss of a benefit payable under the benefit Acts.
42. Any payment in consequence of a reduction of council tax under section 13 or section 80 of the 1992 Act (reduction of liability for council tax).
43. (1) Any payment or repayment made—
(a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
(b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
I as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies).
(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers, which is analogous to a payment or repayment, mentioned in sub-paragraph (1).
44. Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins).

45. Any payment made by either the Secretary of State for Justice or by the Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody.
46. (1) Where an applicant's family includes at least one child or young person, £15 of any payment of maintenance, other than child maintenance, whether under a court order or not, which is made or due to be made by the applicant's former partner, or the applicant's partner's former partner.
 (2) For the purpose of sub-paragraph (1) where more than one maintenance payment falls to be taken into account in any week, all such payments such be aggregated and treated as if they were a single payment.
 (3) A payment made by the Secretary of State in lieu of maintenance shall, for the purpose of sub-paragraph (1), be treated as a payment of maintenance made by a person specified in sub-paragraph (1).
47. (1) Any payment of child maintenance made or derived from a liable relative where the child or young person in respect of whom the payment is made is a member of the applicant's family, except where the person making the payment is the applicant or the applicant's partner.
 (2) In paragraph (1)
 'child maintenance' means any payment towards the maintenance of a child or young person, including any payment made voluntarily and payments made under;
 (a) the Child Support Act 1991;
 (b) the Child Support (Northern Ireland) Order 1991;
 (c) a court order;
 (d) a consent order;
 (e) a maintenance agreement registered for execution in the Books of Council and Session, or the sheriff court books;
 'liable relative' means a person listed in regulation 54 (interpretation) of the Income Support (General) Regulations 1987, other than a person falling within sub-paragraph (d) of that definition.
48. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.
49. Any guardian's allowance.
50. (1) If the applicant is in receipt of any benefit under Parts 2, 3 or 5 of the Act, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of the Act, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.
 (2) If the applicant is in receipt of any pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006, any increase in the rate of that pension or allowance under that Order, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.
51. Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.
52. In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983(a) (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.
53. (1) Any payment which is
 (a) made under any of the Dispensing Instruments to a widow, widower or

- (b) surviving civil partner of a person;
 - (i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and
 - (ii) whose service in such capacity terminated before 31st March 1973; and equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.

(2) In this paragraph ‘the Dispensing Instruments’ means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).

54. Provision for all applicants: Homes for Ukraine scheme

(1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—

- (a) an applicant’s entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.

(2) In this regulation—

“the Homes for Ukraine scheme” means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022

55. Any payment made under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care) or under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments).

56. (1) Subject to sub-paragraph (2), in respect of a person who is receiving, or who has received, assistance under the self-employment route, any payment to that person—

- (a) to meet expenses wholly and necessarily incurred whilst carrying on the commercial activity;
- (b) which is used or intended to be used to maintain repayments on a loan taken out by that person for the purpose of establishing or carrying on the commercial activity, in respect of which such assistance is or was received.

(2) Sub-paragraph (1) shall apply only in respect of payments, which are paid to that person from the special account

57. (1) Any payment of a sports award except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).

(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

(3) For the purposes of sub-paragraph (2) ‘food’ does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

58. Where the amount of subsistence allowance paid to a person in a reduction week exceeds the amount of income-based jobseeker’s allowance that person would have received in that reduction week had it been payable to him, less 50p, that excess amount.

59. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise.

60. Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001 as amended by the Welfare Reform Act 2012 (Consequential Amendments) Regulations 2013.

61. (1) Any payment made by a local authority or by the Welsh Ministers to or on behalf of the

applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) 'local authority' includes, in England, a county council.

62. Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments)
63. Any payment of child benefit.
64. Any Windrush compensation payment.
65. Any payment made under the We Love Manchester Emergency Fund.
66. Any payment made under the London Emergency Trust.
67. The support component of Employment and Support Allowance.
68. Any amount of Housing Benefit.
69. Any payment deemed to be made by the authority under a local welfare provision.
70. Any increase in national welfare benefits made in relation to a crisis by Government which would result in a reduction in support.
71. Where the applicant or partner would have, **but for the implementation of this scheme**, received a disability premium, a further disregard of £40 shall be made from their income.
72. Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:
 - (a) an applicant's entitlement to a reduction under the scheme; or
 - (b) the amount of any reduction to which the applicant is entitled."The Energy Rebate Scheme 2022" means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022.
73. Any payment made under by Government to compensate or redress for the victims of infected Blood.

Schedule 3
Capital to be disregarded.

1. The dwelling together with any garage, garden and outbuildings, normally occupied by the applicant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular 5, in Scotland, any croft land on which the dwelling is situated; but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of polygamous marriage), only one dwelling shall be disregarded under this paragraph.
2. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme but only for 52 weeks beginning with the date of receipt of the payment.
3. Any payment made to the applicant in respect of any travel or other expenses incurred or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme or Back to Work Scheme but only for 52 weeks beginning with the date of receipt of the payment but only for 52 weeks beginning with the date of receipt of payment.
4. Any premises acquired for occupation by the applicant, which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
5. Any sum directly attributable to the proceeds of sale of any premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances to enable the applicant to complete the purchase.
6. Any premises occupied in whole or in part—
 - (a) by a partner or relative of a single applicant or any member of the family as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
 - (b) by the former partner of the applicant as his home; but this provision shall not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.
7. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his capital provided that it is no more than £16,000.
8. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital.
9. Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.
10. (1) The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner, or if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of any such asset.
 (2) The assets of any business owned in whole or in part by the applicant where—
 - (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
 - (b) he intends to become engaged or, as the case may be, re-engaged as a self-employed earner in that business as soon as he recovers or is able to become engaged or re-engaged in that business;

for a period of 26 weeks from the date on which the claim for council tax reduction is

made, or is treated as made, or, if it is unreasonable to expect him to become engaged or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

(3) In the case of a person who is receiving assistance under the self-employment route, the assets acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is being received.

(3) In the case of a person who has ceased carrying on the commercial activity in respect of which assistance was received as specified in sub-paragraph (3), the assets relating to that activity for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

11. (1) Subject to sub-paragraph (2), any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of;
- (a) an income-related benefit;
 - (b) an income-based jobseeker's allowance;
 - (c) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
 - (d) working tax credit and child tax credit
 - (e) an income-related employment and reduction allowance

but only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

12. Any sum
- (a) paid to the applicant in consequence of damage to, or loss of the home or any personal possession and intended for its repair or replacement; or
 - (b) acquired by the applicant (whether as a loan or otherwise) on the express condition that it is to be used for effecting essential repairs or improvement to the home, which is to be used for the intended purpose, for a period of 26 weeks from the date on which it was so paid or acquired, or such longer period as is reasonable in the circumstances to effect the repairs, replacement or improvement.

12. Any sum—
- (a) deposited with a housing association as defined in section 1(1) of the Housing Associations Act 1985 or section 338(1) of the Housing (Scotland) Act 1987 as a condition of occupying the home;
 - (b) which was so deposited, and which is to be used for the purchase of another home,
- for the period of 26 weeks or such longer period as may be reasonable in the circumstances to enable the applicant to complete the purchase.

13. Any personal possessions except those which have been acquired by the applicant with the intention of reducing his capital in order to secure entitlement to council tax reduction or to increase the amount of that reduction.

14. The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.

15. Where the funds of a trust are derived from a payment made in consequence of any personal injury to the applicant or applicant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.

16. (1) Any payment made to the applicant or the applicant's partner in consequence of any personal injury to the applicant or, as the case may be, the applicant's partner.

(2) But sub-paragraph (1)

(a) applies only for the period of 52 weeks beginning with the day on which the applicant first receives any payment in consequence of that personal injury;

(b) does not apply to any subsequent payment made to him in consequence of that injury (whether it is made by the same person or another);

(c) ceases to apply to the payment or any part of the payment from the day on which the applicant no longer possesses it;

(d) does not apply to any payment from a trust where the funds of the trust are derived from a payment made in consequence of any personal injury to the applicant.

(3) For the purposes of sub-paragraph (2)(c), the circumstances in which an applicant no longer possesses a payment or a part of it include where the applicant has used a payment or part of it to purchase an asset.

(4) References in sub-paragraphs (2) and (3) to the applicant are to be construed as including references to his partner (where applicable).

17. The value of the right to receive any income under a life interest or from a life rent.
18. The surrender value of any policy of life insurance.
19. Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.
20. Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or sections 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
21. (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ('A') which A passes on to the applicant.

(2) Sub-paragraph (1) applies only where A;
 - (a) was formerly in the applicant's care, and
 - (b) is aged 18 or over, and
 - (c) continues to live with the applicant.
22. Any social fund payment.
23. Any refund of tax which falls to be deducted under section 369 of the Income and Corporation Taxes Act 1988 (deduction of tax from certain loan interest) on a payment of relevant loan interest for the purpose of acquiring an interest in the home or carrying out repairs or improvements to the home.
24. Any capital which, by virtue of sections 31 or 51 (capital treated as income, treatment of student loans) is to be treated as income.
25. Where any payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
27. Any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation or the Charitable Fund.
28. Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or

who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of–

- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts and which is made to or for the benefit of–

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts where–

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either;
 - (i) to that person's parent or step-parent; or
 - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian, but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or any of the Trusts where

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child or young person who was or had been a member of his family; and
- (b) the payment is made either;
 - (i) to that person's parent or step-parent; or
 - (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian, but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose support payment referred to in this paragraph is made, any capital resource which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) Any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited the Skipton Fund, the Caxton Foundation, and the London Bombings

Relief Charitable Fund.

28. (1) Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from, or dissolution of his civil partnership with, his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.
- (2) In this paragraph 'dwelling' includes any garage, garden and outbuildings, which were formerly occupied by the applicant as his home and any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated.
29. Any premises where the applicant is taking reasonable steps to dispose of those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.
30. Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.
31. Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.
32. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
33. The value of the right to receive an occupational or personal pension.
34. The value of any funds held under a personal pension scheme
35. The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.
36. Any payment in kind made by a charity or under or by the Trusts, the Fund, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
37. Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990, but only for the period of 52 weeks beginning on the date of receipt of the payment.
38. Any payment in consequence of a reduction of council tax under section 13 or, as the case may be, section 80 of the Local Government Finance Act 1992 (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.
39. Any grant made in accordance with a scheme made under section 129 of the Housing Act 1988 or section 66 of the Housing (Scotland) Act 1988 (schemes for payments to assist local housing authority and local authority tenants to obtain other accommodation) which is to be used—
(a) to purchase premises intended for occupation as his home; or
(b) to carry out repairs or alterations which are required to render premises fit for occupation as his home,
for a period of 26 weeks from the date on which he received such a grant, or such longer period

- as is reasonable in the circumstances to enable the purchase, repairs or alterations to be completed and the applicant to commence occupation of those premises as his home.
40. Any arrears of supplementary pension which is disregarded under this scheme but only for a period of 52 weeks from the date of receipt of the arrears.
41. (1) Any payment or repayment made—
 (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
 (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
 (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies),
 but only for a period of 52 weeks from the date of receipt of the payment or repayment.
 (2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers, which is analogous to a payment, or repayment mentioned in sub-paragraph (1), but only for a period of 52 weeks from the date of the receipt of the payment or repayment.
42. Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins), but only for a period of 52 weeks from the date of receipt of the payment.
43. Any payment made under Part 8A of the Act (entitlement to health in pregnancy grant).
44. Any payment made either by the Secretary of State for Justice or by Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody, but only for a period of 52 weeks from the date of the receipt of the payment.
45. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.
46. Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under the Blind Homeworkers' Scheme.
47. (1) Subject to sub-paragraph (2), where an applicant satisfies the conditions in section 131(3) and (6) of the Act (entitlement to alternative maximum council tax reduction), the whole of his capital.
 (2) Where in addition to satisfying the conditions in section 131(3) and (6) of the Act the applicant also satisfies the conditions in section 131(4) and (5) of the Act (entitlement to the maximum council tax reduction), sub-paragraph (1) shall not have effect.
48. (1) Any sum of capital to which sub-paragraph (2) applies and
 (a) which is administered on behalf of a person by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998 or by the Court of Protection;
 (b) which can only be disposed of by order or direction of any such court; or
 (c) where the person concerned is under the age of 18, which can only be disposed of by order or direction prior to that person attaining age 18.
 (2) This sub-paragraph applies to a sum of capital which is derived from;
 (a) an award of damages for a personal injury to that person; or
 (b) compensation for the death of one or both parents where the person concerned is under the age of 18.

49. Any sum of capital administered on behalf of a person in accordance with an order made under section 13 of the Children (Scotland) Act 1995, or under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules, where such sum derives from
- (a) award of damages for a personal injury to that person; or
 - (b) compensation for the death of one or both parents where the person concerned is under the age of 18.
50. Any payment to the applicant as holder of the Victoria Cross or George Cross.
51. In the case of a person who is receiving, or who has received, assistance under the self-employment route, any sum of capital which is acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is or was received but only for a period of 52 weeks from the date on which that sum was acquired.
52. (1) Any payment of a sports award for a period of 26 weeks from the date of receipt of that payment except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).
- (2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- (3) For the purposes of sub-paragraph (2) 'food' does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.
53. (1) Any payment;
- (a) by way of an education maintenance allowance made pursuant to—
 - (i) regulations made under section 518 of the Education Act 1996;
 - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
 - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
 - (b) corresponding to such an education maintenance allowance, made pursuant to;
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 - (ii) regulations made under section 181 of that Act ;

or in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.
- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to;
- (a) regulations made under section 518 of the Education Act 1996;
 - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
 - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992, in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).
54. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise, but only for the period of 52 weeks from the date of receipt of the payment.
55. Any arrears of subsistence allowance paid as a lump sum but only for the period of 52 weeks from the date of receipt of the payment.

56. Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or interment of–
- (a) the applicant;
 - (b) the applicant's partner;
 - (c) the applicant's deceased spouse or deceased civil partner; or
 - (d) the applicant's partner's deceased spouse or deceased civil partner,
- by the Japanese during the Second World War, £10,000.
57. (1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or a member of an applicant's family who is
- (a) a diagnosed person;
 - (b) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
 - (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
 - (d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.
- (2) Where a trust payment is made to;
- (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending two years after that date;
 - (c) a person referred to in sub-paragraph (1)(d), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending–
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person–
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,
 whichever is the latest.
- (3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or a member of an applicant's family who is–
- (a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
 - (b) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
 - (c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death, but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.
- (4) Where a payment as referred to in sub-paragraph (3) is made to–
- (a) a person referred to in sub-paragraph (3)(a), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph (3)(b), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending two years after that date; or

- (c) person referred to in sub-paragraph (3)(c), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending–
- (i) two years after that date; or
 - (ii) on the day before the day on which that person
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,
 whichever is the latest.
- (5) In this paragraph, a reference to a person–
- (a) being the diagnosed person’s partner;
 - (b) being a member of a diagnosed person’s family;
 - (c) acting in place of the diagnosed person’s parents,
- at the date of the diagnosed person’s death shall include a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home, an Abbeyfield Home or an independent hospital on that date.
- (6) In this paragraph– ‘diagnosed person’ means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeld- Jakob disease;
 ‘relevant trust’ means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeld-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;
 ‘trust payment’ means a payment under a relevant trust.
58. The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant’s partner, the applicant’s deceased spouse or deceased civil partner or the applicant’s partner’s deceased spouse or deceased civil partner
- (a) was a slave labourer or a forced labourer;
 - (b) had suffered property loss or had suffered personal injury; or
 - (c) was a parent of a child who had died,
- during the Second World War.
59. (1) Any payment made by a local authority, or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service, which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.
- (2) For the purposes of sub-paragraph (1) ‘local authority’ includes in England a county council.
60. Any payment made under regulations made under section 57 of the Health and Social Care Act 2001 or under section 12B of the Social Work (Scotland) Act 1968, or under section 12A to 12D of the National Health Service Act 2006 (direct payments for health care).
61. Any payment made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.
62. Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).
63. Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments),
64. Any Windrush compensation payment.
65. Any payment made under the We Love Manchester Emergency Fund.
66. Any payment made under the London Emergency Trust.

67. Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:
(a) an applicant's entitlement to a reduction under the scheme; or
(b) the amount of any reduction to which the applicant is entitled.
"The Energy Rebate Scheme 2022" means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022
68. Any payment made under by Government to compensate or redress for the victims of infected Blood.
- 69. Provision for all applicants: Homes for Ukraine scheme**
(1) Any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—
(c) an applicant's entitlement to a reduction under the scheme; or
(d) the amount of any reduction to which the applicant is entitled.
(2) In this regulation—
"the Homes for Ukraine scheme" means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022

Schedule 4
Sums to be disregarded in the calculation of earnings

1. Where child care charges apply, the authority may deduct an amount from the earnings of an applicant as specified in this schedule.
2. The disregard applies to applicants who are employed or self-employed.
3. For the avoidance of doubt only one disregard shall be applied per application.

Treatment of child care charges

- 4 This section applies where an applicant is incurring relevant child-care charges and;
 - (a) is a lone parent and is engaged in remunerative work;
 - (b) is a member of a couple both of whom are engaged in remunerative work; or
 - (c) is a member of a couple where one member is engaged in remunerative work and the other;
 - (i) is incapacitated;
 - (ii) is an in-patient in hospital; or
 - (iii) is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).
5. For the purposes of paragraph 4 and subject to paragraph 7, a person to whom paragraph 6 applies shall be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he—
 - (a) is paid statutory sick pay;
 - (b) is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the Act;
 - (c) is paid an employment and support allowance;
 - (d) is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support Regulations 1987; or
 - (e) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.
6. This paragraph applies to a person who was engaged in remunerative work immediately before
 - (a) the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or
 - (b) the first day of the period in respect of which earnings are credited, as the case may be.
7. In a case to which paragraph 5d) or e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.
- 8 Relevant child care charges are those charges for care to which paragraphs 9 and 10 apply and shall be calculated on a weekly basis in accordance with paragraph 13.
- 9 The charges are paid by the applicant for care, which is provided:
 - (a) in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or
 - (b) in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.
- 10 The charges are paid for care, which is provided by one, or more of the care providers listed in paragraph 11 and are not paid—
 - (a) in respect of the child's compulsory education;
 - (b) by an applicant to a partner or by a partner to an applicant in respect of any child for

- whom either or any of them is responsible; or
- (c) in respect of care provided by a relative of the child wholly or mainly in the child's home.
- 11 The care to which paragraph 10 refers may be provided;
- (a) out of school hours, by a school on school premises or by a local authority;
- i. for children who are not disabled in respect of the period beginning on their eight birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or
- ii. for children who are disabled in respect of the period beginning on their eight birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or
- (b) by a child care provider approved in accordance with the Tax Credit (New Category of Child Care Provider) Regulations 1999;
- (c) by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or
- (d) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) order 2010; or
- (e) by;
- i. persons registered under section 59(1) of the Public Services Reform Scotland Act 2010; or
- ii. local authorities registered under section 8(1) of that Act, where the care provided is child minding or daycare within the meaning of that Act; or
- (f) by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002 or
- (g) by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or
- (h) by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
- (i) by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
- (j) by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of 'childcare' for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or
- (k) by a foster parent or kinship carer under the Fostering Services Regulations 2002, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering, or kinship carer is looking after; or
- (l) by a domiciliary care worker under the Domiciliary Care Agencies Regulations 2002 or the Domiciliary Care Agencies (Wales) Regulations 2004; or
- (m) by a person who is not a relative of the child wholly or mainly in the child's home.
- 12 'The first Monday in September' means the Monday which first occurs in the month of September in any year.
- 13 Relevant child care charges shall be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.
- 14 For the purposes of paragraph 4 (c) the other member of a couple is incapacitated where:
- (a) the applicant's applicable amount includes a disability premium on account of the other

- member's incapacity or the support component or the work- related activity component on account of his having limited capability for work;
- (b) the applicant's applicable amount would include a disability premium on account of the other member's incapacity but for that other member being treated as capable of work by virtue of a determination made in accordance with regulation made under section 171E of the Act;
 - (c) the applicant's applicable amount would include the support component or the work-related activity component on account of the other member having limited capability for work but for that other member being treated as not having limited capability for work by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008 or 2013 as appropriate;
 - (d) the applicant (within the meaning of this scheme) is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the Act (incapacity for work) for a continuous period of not less than 196 days; and for this purpose, any two or more separate periods separated by a break of not more than 56 days shall be treated as one continuous period;
 - (e) the applicant (within the meaning of this scheme) has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
 - (f) there is payable in respect of him one or more of the following pensions or allowances—
 - i. long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the Act;
 - ii. attendance allowance under section 64 of the Act;
 - iii. severe disablement allowance under section 68 of the Act;
 - iv. disability living allowance under section 71 of the Act;
 - v. personal independence payment under the Welfare Reform Act 2012;
 - vi. an AFIP;
 - vii. increase of disablement pension under section 104 of the Act;
 - viii. a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under head (ii), (iv) or (v) above;
 - ix. main phase employment and support allowance;
 - (g) a pension or allowance to which head (ii), (iv), (v) or (vi) of sub-paragraph (f) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this section shall mean a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of social security (Hospital In-Patients) Regulations 2005.
 - (h) an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;
 - (i) paragraphs (f) or (g) would apply to him if the legislative provisions referred to in those sub-paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or
 - (j) he has an invalid carriage or other vehicle provided to him by the Secretary of State under section 5(2)(a) of and Schedule 2 to the National Health Service Act 1977 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.
- 15 For the purposes of paragraph 14 once paragraph 14(d) applies to the applicant, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work,

that paragraph shall, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable, or is treated as remaining incapable, of work.

- 16 For the purposes of paragraph 14, once paragraph 14(e) applies to the applicant, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter apply to him for so long as he has, or is treated as having, limited capability for work.
- 17 For the purposes of paragraphs 9 and 11(a), a person is disabled if he is a person—
- (a) in respect of whom disability living allowance or personal independence payment is payable, or has ceased to be payable solely because he is a patient;
 - (b) who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or
 - (c) who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.
- 18 For the purposes of paragraph 4 a woman on maternity leave, paternity leave or adoption leave shall be treated as if she is engaged in remunerative work for the period specified in paragraph 18 ('the relevant period') provided that—
- (a) in the week before the period of maternity leave, paternity leave or adoption leave began she was in remunerative work;
 - (b) the applicant is incurring relevant child care charges within the meaning of paragraph 18.5; and
 - (c) she is entitled to either statutory maternity pay under section 164 of the Act, statutory paternity pay by virtue of section 171ZA or 171ZB of the Act statutory adoption pay by of section 171ZL of the Act, maternity allowance under section 35 of the Act or qualifying support.
- 19 For the purposes of paragraph 18 the relevant period shall begin on the day on which the person's maternity, paternity leave or adoption leave commences and shall end on—
- (a) the date that leave ends;
 - (b) if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support, statutory maternity pay, statutory paternity pay or statutory adoption pay ends, the date that entitlement ends; or
 - (c) if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credits ends.
- whichever shall occur first.
- 20 In these paragraphs:
- (a) **'qualifying support'** means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support Regulations 1987;
 - (b) **'child care element'** of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act (child care element) 2002;
 - (c) **'relevant child care costs'** means an amount;
 - (i) where the applicant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week;
 - (ii) where the applicant's family includes more than one child in respect of whom relevant child care charges are paid, £300.00 per week; and
 - (d) **'remunerative work'** means an average of 16 hours per week or more undertaken by the applicants or partner.

- 21 In this section 'applicant' does not include an applicant;
- a. who has, or
 - b. who (jointly with his partner) has,
- an award of universal credit

Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Working Age Council Tax Reduction Scheme 2025/2026	
Date Conducted	22/10/2024	
Name of Lead Officer and Service Area	Michael Buckland, Head of Revenues and Benefits	
Commissioning Team (if applicable)		
Director Responsible for project/service area	Jo Goodfellow, ED Finance	
Who are the main stakeholders	Corporate Management Team (CMT) and Elected Members, Staff, Precepting Authorities, Working Age Council Tax Reduction applicants, Residents	
Describe what consultation has been undertaken. Who was involved and what was the outcome	Corporate Management Team to review and agree the report. No actual formal consultation is required as there have been no fundamental changes required. This is an extension to the scheme.	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	N/A	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	X
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	X
	Existing	<input type="checkbox"/>
	Being reviewed	<input type="checkbox"/>
	Being reviewed as a result of budget	<input type="checkbox"/>

	constraints / End of Contract	
--	-------------------------------	--

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

The purpose of this report is to recommend that Cabinet and Council approves the Council Tax Reduction scheme from the 1 April 2025

Who will be affected and how?

Residents, customers, employees, voluntary sector, Preceptors

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

Housing , Revenues & Benefits, Customer Services

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The scheme will affect working age applicants only. Pension age applicants will not be affected as their scheme is prescribed by Government. The level of support to be provided will be maintained and the majority of working age applicants will receive the same level of support. Inevitably with any scheme there may be some losers. In the first year a transitional protection scheme was applied for large losers. Whilst this will now cease in Year 2 the applicant may apply for support under the Council's Exceptional Hardship scheme.
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The scheme will have no differential impact due to disability, the proposed scheme is designed to continue to protect the disabled by disregarding disability benefits such as Disability Living Allowance and Personal Independence Payments. The scheme will also further protect disabled applicants as it may provide a further income disregard of £40 which will reduce the level of income taken into

			account when calculating any support.
Gender Reassignment	<input type="checkbox"/>	X	The scheme applies consistent and fair treatment irrespective of gender reassignment
Marriage and Civil Partnership	<input type="checkbox"/>	X	The scheme applies consistent and fair treatment irrespective of marital status
Pregnancy & Maternity	<input type="checkbox"/>	X	The scheme applies consistent and fair treatment irrespective of pregnancy and maternity
Race	<input type="checkbox"/>	X	The scheme will have no differential impact due to race
Religion or belief	<input type="checkbox"/>	X	The scheme will have no differential impact due to religious belief
Sexual orientation	<input type="checkbox"/>	X	The scheme will have no differential impact due to sexual orientation
Sex	<input type="checkbox"/>	X	The scheme applies consistent and fair treatment irrespective of sex
Gypsy/Travelling Community	<input type="checkbox"/>	X	The scheme will have no differential impact to gypsies or travellers
Those with caring/dependent responsibilities	<input type="checkbox"/>	X	The scheme provides additional support by disregarding Housing Costs within Universal Credit along with the disabled child element
Those having an offending past	<input type="checkbox"/>	X	The scheme will have no differential impact to those with an offending past
Children	<input type="checkbox"/>	X	The scheme will have no differential impact to those with children and protects families
Vulnerable Adults	<input type="checkbox"/>	X	The scheme provides protections for vulnerable adults in the following ways: Vulnerable adults <ul style="list-style-type: none"> the scheme (as previously indicated), disregards Personal Independence Payments, Disability Living Allowance and the support component of Employment and Support Allowance; When any household has a disabled applicant, partner or dependant and additional income disregard of up to £40 may be given against income, thereby potentially increasing the level of support available.
Families	<input type="checkbox"/>	X	The scheme provides protections for families in the following ways: Families <ul style="list-style-type: none"> the scheme allows additional income levels (for the same level of support) depending on whether there is one or two (or more) dependants; the scheme disregards child benefit and child maintenance.
Those who are homeless	<input type="checkbox"/>	X	The Homelessness Team, Customer Services & Revenues & Benefits Teams ensure that any customers with a liability have access to this scheme
Those on low income	<input type="checkbox"/>	X	The scheme has been designed to assist those on the lowest incomes

Those with drug or alcohol problems	<input type="checkbox"/>	X	The scheme will have no differential impact to those with drug or alcohol problems
Those with mental health issues	<input type="checkbox"/>	X	There may be those have limited capacity to make a claim but support via Customer Services, Revenues and Benefits Teams and other partners, community groups, TAC and in direct communication with carers is available.
Those with physical health issues	<input type="checkbox"/>	X	There may be those have limited capacity to make a claim but support via Customer Services, Revenues and Benefits Teams and other partners, community groups, TAC and in direct communication with carers is available.
Social inclusion Please include refugees and asylum seekers,	<input type="checkbox"/>	X	The scheme will have no differential impact to refugees and asylum seekers. A translation service is available to ensure accessibility.
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered	<input type="checkbox"/>	X	The scheme will have no differential impact due to The Armed Forces Covenant
Health and Wellbeing	<input type="checkbox"/>	X	The scheme will help those most in need which will in part contribute to in some cases to an improvement in their health & wellbeing
Climate Change	<input type="checkbox"/>	X	No impact as a direct result of this report

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.

Impact Area	Details of the Impact	Action to reduce risk
N/A		

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
N/A	Full monitoring of scheme implementation on a monthly basis in line with the accepted project plan			

Date of Review (If applicable)

Guidance and form updated xxxxxx following CMT approval.

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Thursday, 21 November 2024

Report of the Leader of the Council

Equality and Diversity Strategy

Exempt Information

None.

Purpose

This report provides an updated Equality and Diversity strategy which gives assurance that Tamworth Borough Council is committed to equality and diversity both within the organisation and in the service it delivers to the Borough. The council will also remain compliant with the public sector duty.

Recommendations

It is recommended that Cabinet endorse the Equality and Diversity Strategy 2025-2028, the action plan and Equality, Social Inclusion and Health Impact Assessment and recommend it to Full Council (10 December 2024) for formal approval and publication.

Executive Summary

The council's Equality and Diversity Strategy outlines how we will promote equality and diversity in the delivery of our services.

The council is required to ensure continued compliance with the specific duties in place for the public sector known as the Public Sector Equality Duty. The requirements are that a public sector body must:

- Publish information annually
- Publish equality objectives and review every four years

Options Considered

The report provides a refreshed Equality and Diversity strategy which is designed to set out the council's statutory obligations under the Equality Act and Public Sector Duty. No other practicable options were identified.

Resource Implications

Budget for training is already in place and there is no further financial investment required for the delivery of the action plan.

Legal/Risk Implications

The equality objectives together with the delivery of the action plan will ensure Tamworth Borough Council remains compliant with the Public Sector Equality Duty and equality legislation. HR will continue to monitor government policy on all associated matters.

Equalities Implications

There are no adverse equality implications as a direct result of this policy. A full community impact assessment is included with the strategy.

Environment and Sustainability Implications (including climate change)

The Equality, Social Inclusion and Health Impact Assessment considers environmental factors when considering the impact of any policy, process or procedure.

Background Information

The Equality and Diversity strategy 2025 – 2029 follows the Local Government Association Equalities Framework which outlines four areas of focus for equality, diversity and inclusion.

Understanding and working with your communities – by basing our policies, procedures and actions on sound evidence and research around the needs of our communities.

Leadership, partnership and organisational commitment – Strategic leadership and working in partnership to improve equality outcomes.

Responsive services and customer care – Meeting the needs of vulnerable people or communities and delivering good equality outcomes.

Diverse and engaged workforce – HR policies and procedures reflect good equality practice, and anyone who applies to the organisation or who works for it feels confident that they are treated fairly.

Each area has priorities and actions.

The strategy has been updated to include emerging awareness around intersectionality, equity, misogyny and misandry. Furthermore, the strategy incorporates the initial feedback from the corporate peer challenge, to bring equality and diversity and community cohesion to the fore.

Community Impact Assessments will be renamed Equality, Social Inclusion and Health Impact Assessment. The assessment goes further than the nine protected characteristics and includes a number of socio-economic elements including safeguarding the vulnerable, social inclusion, armed forces covenant, health and environment. This is so we are thinking as carefully and completely as possible about all Tamworth groups and communities when creating or updating policies, procedures and strategies and to inform decision making.

Report Author

Jackie Noble – Head of HR and OD

List of Background Papers

Diversity and Equality Scheme 2020 - 2024

Appendices

Appendix 1 – Equality and Diversity Strategy 2025 – 2028

Appendix 2 – Equality, Social Inclusion and Health Impact Assessment template

Appendix 3 - Equality, Social Inclusion and Health Impact Assessment guidance



Equality and Diversity Strategy
2025 – 2028

Document Status: Draft

Document Ref : HRPOL –

Originator: Jackie Noble

Updated: Jackie Noble

Owner: Anica Goodwin

Version: 01.01.01

Date: October2024

Approved by Cabinet / Council

Classification: Official

Document Location

This document is held by Tamworth Borough Council, and the document owner is HR.

Printed documents may be obsolete; an electronic copy will be available on Tamworth Borough Council's Intranet. Please check for current version before using.

Revision History

Revision Date	Version Control	Summary of changes
October 2024	1	Complete rewrite of the previous scheme.

Key Signatories

Approvals Creation and Major Change

Name	Title	Approved
Cabinet		
Council		

Approvals Minor Change and Scheduled Review

Name	Title	Approved
Anica Goodwin		
TULG		

Approval Path

Major Change

	Action
Originator	HR
Owner	Head of Paid Service
TULG	Consultative Group
CMT	Corporate Approval
Appts & Staffing Committee	Council Approval

Minor Change

HR	Submission
TULG	Consultative Group
Director	Delegated Approval

Document Review Plans

This policy/ procedure will be reviewed on a 3 yearly basis unless it has:

- A monetary value included within it, in which case an annual review will be required, and/ or
- A legislative change is required as directed by government.

Distribution

The document will be distributed through Astute as a MANDATORY policy and will also be available on the Intranet.

Security Classification

This document is classified as Official with access restricted to Tamworth Borough Council Staff and business partners.

Equality and Diversity Strategy 2025 – 2028

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1 Statement of intent

Tamworth Borough Council (TBC) recognises the importance of involving the wider community in the development of services which are accessible and reflect people's needs. The council's values go further to specify the promotion of equal opportunities and to celebrate diversity.

By making equality and diversity a core element of all things that we do, we will be best placed to achieve our vision.

Where barriers exist which prevent us from achieving our goals, we have a moral and legal obligation to break them down.

The strategy goes to the heart of the council's work in tackling inequalities and in creating a truly inclusive town for everyone. The strategy is about action and not just words.

To develop this strategy and resultant action plan we have used the Local Government Association Equalities Framework, which outlines four areas of focus for equality, diversity and inclusion:

Understanding and working with your communities – by basing our policies, procedures and actions on sound evidence and research around the needs of our communities.

Leadership, partnership and organisational commitment – Strategic leadership and working in partnership to improve equality outcomes.

Responsive services and customer care – Meeting the needs of vulnerable people or communities and delivering good equality outcomes.

Diverse and engaged workforce – HR policies and procedures reflect good equality practice, and anyone who applies to the organisation or who works for it feels confident that they are treated fairly.

We will incorporate these themes into our work, and we are committed to further action to put these at the heart of everything we do.

The starting point and primary focus are this council's vision. The vision is currently "Tamworth – celebrating our heritage, creating a better future" and will be achieved through our strategic priorities:

1. The environment
2. The economy
3. Infrastructure
4. Living in Tamworth
5. Town Centre

These in turn translate into the council's strategic plans and intentions and form the basis of the corporate and local plans, the sustainability strategy and the medium-term financial strategy.

A new corporate plan is being developed to cover 2025 – 2030 with a vision of "Building a better Tamworth". The priorities will be:

1. Council
2. Prosperity

3. Place shaping
4. Environment
5. Community Wellbeing

We strive to deliver equality across the nine protected characteristics and demonstrate how equality considerations are embedded in our decision-making processes, and how they can influence both our service delivery and employment practices.

We are going beyond the nine protected characteristics, our Equality, Social Inclusion and Health Impact Assessment includes other elements including safeguarding of the vulnerable, social inclusion, armed forces covenant, health and wellbeing and environmental issues. This ensures we are thinking as carefully and holistically as possible about all of Tamworth's groups and communities.

However, the most important aspect of our strategy is not the words but the actions and outcomes we have set ourselves.

2 Introduction

The strategy outlines how we will promote equality and diversity in the delivery of our services provided both directly by ourselves and in conjunction with our partners. Considering UK legislation, our strategy clearly addresses our duties and responsibilities to:

- Age
- Disability
- Gender reassignment
- Race
- Sex
- Religion or belief
- Sexual orientation
- Pregnancy or maternity
- Marriage and civil partnership*

The above are known as protected characteristics within the Equality Act 2010.

Intersectionality is not yet in everyday usage, but awareness is growing. The term is used to refer to the multiplying effects where two or multiple grounds operate simultaneously and interact in an inseparable manner, producing distinct and specific forms of discrimination. Recognising intersectionality stops people being required to choose between bringing a claim of, for example, racism or sexism as they could not state they were being discriminated against due to the combined effects of race and sex.

The Equality and Human Rights Commission advocates the concept of intersectionality by developing their own definition. "Intersectionality is an analytical tool that we use for the purpose of equality and human rights monitoring to show the distinct forms of harm, abuse, discrimination and disadvantage experienced by people when multiple categories of social identity interact with each other."

For example, a disabled elderly resident will be covered under two protected characteristics – disability and age, a black lesbian will be at risk of experiencing sexism, racism and homophobia.

The strategy recognises evolving case law in relation to belief. The Equality Act 2010 states that belief means any "religious or philosophical belief and any reference to belief includes a reference to a lack of belief". A philosophical belief must be:

- genuinely held and not just an opinion or point of view based on the present state of information available;
- be a belief about a weighty and substantial aspect of human life;
- have a level of cogency, seriousness, cohesion and importance; and
- worthy of respect in a democratic society, compatible with human dignity and not conflicting with the fundamental rights of others.

Examples of protected beliefs include humanism, pacifism, atheism and a belief in man-made climate change. An employment tribunal found veganism to have met the threshold for a philosophical belief under the Equality Act 2010.

This strategy reflects our commitment to the wider equality agenda while ensuring that the strict duties that are placed upon us under the provisions of the Equality Act.

Tamworth Borough Council reaffirms its commitment to racial equality. Employees, elected members and the organisation have a responsibility to ensure that no person is treated differently because of their race.

Tamworth Borough Council will not tolerate sex-based discrimination or harassment. Misogyny is defined as dislike of, or contempt for, or ingrained prejudice against women. Misandry is defined as dislike of, contempt for, or ingrained prejudice against men.

The easy access to technology has increased misogynistic radicalisation at a pace, Misogyny and misandry in the workplace or in the services we deliver to members of the community will not be tolerated.

With increased partnership working, commissioning and procurement of services, the strategy also sets out the expectations placed on partners, suppliers and the voluntary sector to contribute to the council's equality and diversity agenda.

The aim of the strategy is to integrate the council's equality and diversity activities into normal service delivery mechanisms, while at the same time encouraging departments to deliver their products and services in an innovative and creative way. We will scrutinise and improve access to our services ensuring we treat people fairly, provide our customers with equal opportunity, and that we gain business benefits from our services being accessible to the maximum number of people. Our Equality, Social Inclusion and Health Impact Assessment is embedded in our planning and decision-making process.

The action plan will be reviewed annually and reported to Cabinet through the performance management framework.

3 Policy Statement

We aim to create and maintain a community that embraces change and welcomes diversity; diversity helps to build such communities by celebrating differences and combining our talents.

To achieve this, the council continues to be committed to removing discrimination from public life. This includes major commitments that establish the council as a community leader.

- The council is committed to ensure that it does not discriminate against employees or members of the public.
- We want Tamworth to have a workforce that reflects the community it serves and to be seen as an employer of choice that values diversity and the perspectives it brings.
- The council is working to make Tamworth a place free from discrimination
- People are proud to be who they are.
- We strive to ensure that the contribution of all groups is valued.
- Differences between people are welcomed.
- Removing barriers to ensure that all groups have the same chances of success.
- The council will provide services that are inclusive and designed to meet customer needs, including those most vulnerable.

The council will support anyone who shares the same aims, including community groups, the voluntary sector, trade unions and partner organisations.

Tamworth Borough Council is committed to providing value for money and accountability which will underpin the delivery of all corporate themes. Working with others, the council will deliver services that are well governed, ethical, effective, efficient and economically viable.

We are committed to building a fairer, greener town in which everyone can thrive. We value diversity and seek to find ways to bring communities together. We want to ensure all of Tamworth's residents have fair opportunities.

4 What are our legal duties?

4.1 Equality Act 2010 (Amendment) Regulations 2023

The Act brings together, harmonises and extends previous equality law. The Equality Act replaced all previous discrimination law with a single act. The majority of the Act came into force on 1 October 2010. Within the Act there is a public sector equality duty which came into force on 6 April 2011. The public sector equality duty applies to public bodies and others carrying out public functions.

Within the Act is a socio-economic duty to consider how our decisions impact socio-economic disadvantage and aim to reduce inequalities associated with occupation, education, place of residence or social class.

The Act was updated on 8 November 2023 and its changes came into effect on 1 January 2024. Its purpose was to update the existing legislation and enshrine protections from EU law, which would have otherwise ceased. Amongst the amendments to the legislation are:

- Clarifications that discrimination relating to breastfeeding amounts to sex discrimination within the workplace, and that more favourable treatment on the grounds of maternity is permitted.
- Discrimination claims for the protected characteristics of pregnancy and maternity discrimination may arise where the individual has an entitlement to maternity leave which is equivalent to compulsory, ordinary and additional maternity leave.
- Indirect discrimination (where a practice, criterion or provision places a group with a protected characteristic at a particular disadvantage) can be claimed by association, where an individual without the protected characteristic suffers together with that group, nonetheless.
- The codification of the 'single source' test in equal pay claims, which allows workers to compare their pay to someone working for a different employer, so long as there is a single body responsible for setting or continuing their terms.
- Clarification on the definition of disability, to confirm that the ability to 'carry out normal day to day activities should be considered with reference to the individual's ability to participate in their professional life 'on an equal basis with other workers'.
- Increased protection from discrimination in recruitment, in which there is not an active recruitment process taking place (for example, statements about 'not wanting to recruit people that share certain protected characteristics').

4.2 The Public Sector Equality Duty

The Public Sector Equality Duty consists of a 'general duty' and specific duties which apply to the Council.

The General Duty requires the council to:

Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;

- Advance equality of opportunity between people from different groups; and
- Foster good relations between people from different groups.

This means the council is required to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics.
- Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The specific duties underpin the general duty, they require the council to:

- Publish its equality objectives and review them at least every four years, and
- Publish information on employees and those affected by the council's policies at least annually, this can be found at www.tamworth.gov.uk

The council's objectives are:

- To use customer insight to develop accessible services, particularly aimed at those demonstrating the greatest need.
- To ensure all council strategies, policies and procedures consider the impact on our diverse community/workforce to ensure maximum inclusion.
- To ensure that the council is an inclusive and diverse employer.
- TBC leading the town as an organisation that tackles discrimination and promotes equality.

4.3 Gender, ethnicity and disability pay gap

Legislation came into effect in 2017 requiring employers to publish figures on the gender pay gap. We use our data on a yearly basis to continually review all areas of the organisation to identify the barriers, and drivers, for appointing women, particularly at senior levels.

Although not required by law yet, the Labour government has made a commitment to bring in legislation to make reporting on the disability and ethnicity pay gap mandatory. Our action plan includes a commitment to introduce disability and ethnicity pay gap reporting. We want to go beyond our statutory duty and truly represent the people we serve.

4.4 Modern day slavery act

Legislation requires us to prepare a slavery and human trafficking statement each financial year, publish it on our website and tackle slavery wherever we find it. We recognise that we have a responsibility to ensure that our services and supply chains understand the issue and can transparently demonstrate ways that they protect against modern day slavery.

5 What do we mean by equality and diversity?

The two concepts of equality and diversity are very different and together form a whole that is larger in many respects than the sum of its individual constituents. Diversity recognises that we can only achieve equality by considering the different needs of the communities, equality is impossible to achieve without recognising diversity.

Equality refers to outcomes, making sure that all social groups benefit equally from our activities. For example, by comparing take up for services with the census information, a Local Authority may become aware that some community groups are under-represented. Equality would only be achieved if service uptake is in the same proportion to the numbers of people in the district from different communities.

6 Equality versus equity

The words equity and equality are used interchangeably, yet they are different concepts. More recently, there has been a shift from equality to equity by addressing the different needs and circumstances of people. Equity can be challenging to implement because it requires a deeper understanding of the needs and challenges of different groups, as well as a commitment to allocate resources accordingly. Our updated Equality, Social Inclusion and Health Impact Assessment and Reasonable Adjustment for Customers policy seeks to have a more detailed understanding of needs in order to provide equity and be responsive.

Equality refers to situations where everyone is treated the same or providing the exact same opportunities and resources to all individuals or groups regardless of need. It focuses on uniformity and equal treatment without necessarily considering the specific needs, circumstances, or historical disadvantages that individuals may face.

Equity refers to fairness and justice and recognises that different individual groups may require different levels of support or accommodations to achieve a level playing field. Equity aims to address historical and systemic disadvantages and achieve equality of opportunity; by giving resources and support based upon their levels of need.

Put simply, equality is giving everyone a shoe. Equity is giving everyone a shoe that fits.

Tamworth Borough Council strives to go further than providing equality. For example:

Religion – equality means giving every religion the same rights and freedoms. Equity means giving every religion the respect and support they need to thrive in a diverse society.

Public policy – Equality means applying the same rules and policies to everyone. Equity means applying rules and policies to different groups to address their specific needs and challenges. For example, providing financial support to those in greater need due to factors such as unemployment, disability or poverty.

Recruitment – Equality means treating every job candidate the same way. Equity means ensuring every job candidate has a fair and equal opportunity to showcase their skills and qualifications, regardless of their background or identity.

Environmental Justice – in an equity scenario, more trees and park spaces are created in environments that are more polluted or have less access to green spaces whereas equality will plant the same number of trees in every neighbourhood.

7 What is discrimination?

Discrimination is a type of negative treatment that affects a whole group of people or an individual because they belong to a group.

The best way to understand discrimination is to set it against other types of negative treatment. Negative treatment edges into discrimination when the person on the receiving end is being badly treated by someone else who assumes a dominant or superior position.

Reasons for bad treatment	Who it affects
Individuality	Individuals, such as personality conflicts, or aspects of a person that lead to them being harassed or bullied (i.e. a response to a person's personal behaviour)
Life circumstances/condition	People who have a change of life circumstances that leads to temporary bad treatment (i.e. becoming homeless or losing a job and seeing how other people's behaviour changes towards them and armed forces veterans and their families as they adjust to life after active service.
Social Identity	A person's basic identity (who they are) is abused. The target is something about the individual which they share with a whole group and cannot change. This affects: <ul style="list-style-type: none"> • Ethnicity and Nationality • Sex • Gender • Sexuality • Disability • Religion and cultural identity • Age • Immigration/Citizen status

Discrimination affects whole groups in the following ways:

- Discrimination is a prejudiced reaction to a person's social identity (such as their gender or race).
- Discrimination is systemic, or institutional (i.e. it is embedded in laws, policies, and in everyday culture).
- Discrimination leads to negative patterns (i.e. continuing pay gap between men and women, or continuing link between disability and lack of employment).

Equality law recognises two types of discrimination

- Direct discrimination: this is when there is a conscious intention to discriminate.
- Indirect discrimination: this is when discrimination is an unintended result of a decision or action.

An example of direct discrimination

A council introduces a free advice service for single mothers who are employees. A male single parent objects on the grounds of sex inequality and is told that there is insufficient demand to extend this discretionary service to male employees.

An example of indirect discrimination

A council introduces an employee support group for single parents. After a year the council carries out a monitoring exercise of the group and finds that all members are female. This is despite the fact that there has been an increase in male single parents who are employees. The council refuses to consult with male single parent employees on the grounds that all employees know about the group. The result is that the council is not able to find out why the pattern has emerged that only women are using the group.

8 Monitoring the strategy

The strategy will be reviewed annually to check progress against actions and refresh the action plan for the following year. Progress will be reported to Cabinet on all diversity and equality matters annually this will be done via the council's performance management system, Ideagen. Furthermore, one action in the strategy's action plan is the formation of an equalities steering group chaired by the executive director organisation and an assigned Member lead for equality. The group will meet on a bi-monthly basis and monitor the strategy's progress.

9 Consultation, communication, input and Involvement of the community and partner organisations

A key element of the council's overall programme of services, which forms an integral part of the Equality and Diversity strategy is customer involvement. The ability to access groups and individuals who face barriers and discrimination, which can provide a positive input to the development of services, is vital. Consultation and involvement with people are an essential part of the current equality legislation. Consultation has been undertaken with community leads and within the organisation and continues through regular engagement and their views were considered when formulating the action plan.

In forming this strategy Tamworth Borough Council sought feedback from:

- Leaders within Tamworth Borough Council
- The Tenant Consultative Group
- Incorporated feedback from consultees on the Corporate Plan
- Equality representative from West Midlands Combined Authority
- Support Staffordshire

- Community Together CIC
- Representatives from Tamworth African Caribbean Association, Heart of Tamworth, Jasjid Mosque, Seventh Day Adventist Church, St Editha's Church, St Andrew's Church, Belgrave Community Allotment and Garden, Tamworth Elim Church, Soulpath (young adults with learning disabilities), Rooted Community Church and Dementia Caring

10 Communication

A copy of the strategy will be issued to all employees and elected members via Astute in an effort to ensure it is put into practice. In addition, it will be placed on the council's internet and intranet.

The strategy will also be included with tender information and contracts for work undertaken for Tamworth Borough Council by external organisations and individuals. Our policies, including those relating to equality and diversity, will upon request be made available for translation and/or in another medium where required.

Our procurement strategy makes specific reference to our commitment to ensure that all procurement practices comply with equality legislation.

11 Equality, Social Inclusion and Health Impact Assessment (ESI&HIA)

The Public Sector Equality Duty requires the council to assess the impact on equality of strategies, policies and procedures. Carrying out these impact assessments helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010. Our Equality, Social Inclusion and Health Impact Assessment goes further than just the nine protected characteristics and includes a number of socio-economic elements including safeguarding of the vulnerable, social inclusion, armed forces covenant, health and the environment. This is so we are thinking as carefully and completely as possible about all Tamworth groups and communities, including people who we may describe as vulnerable.

12 Programme of Training and Development

Equality and diversity training is a mandatory requirement for all employees and elected members. All staff and elected members will attend a workshop and subsequent refresher training on a 3-year cycle.

TBC has a comprehensive Equality and Diversity awareness training workshop which is mandatory for all new staff within the first six months of employment, employees then undertake refresher training. The programme is delivered by diversity and equality specialists appointed through our procurement processes and is refreshed to ensure employee learning is current, reflective of emerging needs.

Employees are also given the opportunity to attend external training events.

We recognise each year that our elected members may change and as such we need to ensure that their knowledge and skills in this area is current. Elected members should attend a diversity awareness workshop within six months of being elected and subsequently attend annual refresher training.

Managers keep equality and diversity live through team engagement to ensure the council delivers in its commitment to equality and diversity and through reflective practice ensure learning takes place from feedback.

13 Breaches

The council has robust harassment policies in place to deal with discriminatory behaviour. In addition, our Comments, Compliments and Complaints process is in place to report concerns from our residents.

14 Responsibilities

Cabinet Members: are responsible for approving the policy and monitoring the performance via the performance management framework and ensuring all strategic policies are impact assessed.

Leader of the Council: has responsibility for equality and diversity. The portfolio holder is required to work closely with the Council's designated officers and champion the strategy and its contents with elected members.

Chief Executive: is responsible for ensuring that the council is complying with the Public Sector Equality Duty.

Executive Director Organisation: is the organisation's equality champion and is responsible for ensuring equality activities are co-ordinated and carried out in the authority.

Executive Directors/Assistant Directors: will ensure that policies presented to Cabinet for approval and supporting strategies and procedures are impact assessed as per the requirements of the Equality and Diversity strategy.

Safeguarding Officer: is the council's lead officer for safeguarding children and adults at risk of harm. The Safeguarding and Vulnerable Adults Protection policy can be found on the council's intranet site Infozone.

Human Resources: will advise on the strategy and policies, organise delivery of necessary training, monitor and produce employee profiles and workforce data and liaise with all service delivery managers to ensure awareness and compliance.

Managers: are responsible for delivering equality in their area of responsibility, embedding it into policy and delivery of the services provided and for undertaking Equality, Social Inclusion and Health Impact Assessments. Managers will also be responsible for ensuring breaches of the strategy are brought to the attention of the relevant Director for any necessary action.

All employees: have a responsibility to treat people fairly, take account of different people needs, challenge inappropriate behaviour and not knowingly discriminate,

harass or victimise anyone and attend relevant training with regard to equality and diversity.

Contractors, suppliers, partners and consultants are expected to meet equality requirements within contracts and service level agreements. The council will not award contracts without an appropriate level of equality commitment from contractors.

Volunteers: are expected to comply with, and be treated in line with, the principles of this policy.

Audit: are expected to carry out reviews of the scheme as specified by the annual audit plan.

15 Reporting discrimination or harassment

We have established systems for employees to raise any issues around harassment or discrimination via our Grievance and Anti Bullying and Anti Harassment policies.

We have also reviewed our arrangements for the reporting of incidents of harassment or suspected discrimination from members of the public in relation to service provision. The scheme covering this is known as the Harassment, Assaults and Threat (HAT) policy and is available on the council's website [HAT policy | Infozone \(tamworth.gov.uk\)](http://tamworth.gov.uk/Infozone).

16 Complaints, comments and compliments

We encourage feedback from the community and undertake to investigate complaints thoroughly in accordance with our procedures.

The council has a comments, compliments and complaints procedure, which is operated in accordance with our equality and diversity agenda.

We are committed to:

- Dealing with complaints and comments quickly and effectively.
- Using feedback to review and improve our services.
- Encourage feedback from all sections of the community and undertake to investigate complaints thoroughly in accordance with our procedures.
- Ensuring complaints, comments and compliments are fed back to the service area.
- Ensuring that information from complaints are captured and monitored with the diversity agenda in mind.
- Key employees responding to complaints receive plain english training to ensure communication is clear and simplified so that it can be easily understood by the reader.

17 Our employees: key facts

We aim to provide an inclusive, respectful and discrimination free environment for all our employees. We want all our employees to feel respected, appreciated and to be able to do a good job to the best of their ability.

We regularly collect information relating to our employees and this helps us monitor and adapt to changes in our workforce profile and needs.

The data was taken from our people and payroll systems as of 31 March 2024. Employees are given the option of not responding or choosing 'prefer not to say'.

Full time equivalent (FTE) employees 365 headcount, 318.73 FTE

Sex Split:

Male	127	34.8%
Female	238	65.2%
Non binary	0	0

Contractual status:

Male	Full time	112	30.68%
Male	Part time	15	4.11%
Female	Full time	145	39.73%
Female	Part time	93	25.48%

Sex by grade:

	Grade*												
	A	B	C	D	E	F	G	H	I	J	AD	ED	CE
F	14	5	9	53	56	25	21	8	9	1	6	2	0
M	1	3	46	25	19	9	6	6	5	2	1	1	1

*(A = lowest grade)

Age profile:

Age	Number	Percentage
16-19	1	0.27%
20 – 25	15	4.11%
26 – 30	14	3.83%
31 – 35	27	7.4%
36 – 40	31	8.49%
41 – 45	36	9.86%
46 - 50	62	16.98%
51 - 55	71	19.45%
56 – 60	53	14.52%
61 – 65	41	11.23%
65+	14	3.83%

Disability

18 employees (4.9%) self-disclosed a disability.

Grade	Number
A	3
B	2
C	2
D	4
E	3
F	1
G	1
H	0
I	1
J	0
Corporate Management Team	1

Ethnicity

	% of workforce
Asian or Asian British	3.51%
Asian – Bangladeshi	0.27%
Asian – Chinese	0.27%
Asian - Indian	1.08%
Asian - Pakistani	0.54%
Asian – Any other Asian background	1.35%
Black, African, Caribbean, or Black British	2.43%
African background	0.27%
Caribbean	1.08%
Any other black, black British or Caribbean background	1.08%
Mixed or multiple ethnic groups	0.81%
White and Black African	-
White and Black Caribbean	0.27%
White and Asian	0.54%
Any other mixed or multiple ethnic background	-
White	91.35%
English, Welsh, Northern Irish, Scottish or British	88.11%
Irish	1.08%
Gypsy or Irish traveller	-
Any other white background	2.16%
Other ethnic group	0%
Prefer not to say	1.89%

Sexual Orientation

Data not held	126	34%
Bisexual	4	2%

Gay man	3	0.8%
Gay woman	2	0.5%
Heterosexual	222	60%
Other	2	0.5%
Prefer not to say	7	1.9%

Gender identity

Data not held	272	74.3%
Does not apply	55	15%
Prefer not to say	2	0.5%
Same identity as birth	37	10.1%

Religion

Atheist	8	2.18%
Buddhist	1	0.27%
Christian	125	34.15%
Hindu	1	0.27%
Islam	1	0.27%
No religion	98	26.84%
Other	7	1.91%
Prefer not to say	9	2.45%
Sikh	2	0.54%
Data not held	114	31.15%

18 Our community

Understanding who lives in our Borough helps us to understand the needs of our local communities and gives us information to help us make our services accessible.

18.1 Key facts – our tenants

Sex	2166 (38.55%) of our tenants are men and 3453 (61.45%) are women
Ethnicity	We know the ethnicity 81.38% of our tenants. White British, 78.89% Unknown, 18.35% Black, 0.55% Asian, 0.34% Mixed, 0.39%
Age	We know the age of 96.57% of our tenants. Age 18-24, 2.35% Age 25-34, 12.1%

	<p>Age 35-44, 16.8%</p> <p>Age 45-54, 17.4%</p> <p>Age 55-64, 16.1%</p> <p>Age 65+, 32.4%</p> <p>Unknown, 2.87%</p>
Disability	<p>We know that 23.71% of our tenants have a disability. Where tenants have indicated a disability, it is broken down as:</p> <p>Learning disability: 8.06%</p> <p>Mental health: 37.23%</p> <p>Physically impaired: 12.89%</p> <p>Speech impaired: 0.90%</p> <p>Visual impaired: 8.06%</p> <p>Wheelchair user: 5.58%</p>
Religion	<p>We know the religion of 45.95% % of our tenants. Of those that provided detail:</p> <p>Christian, 46.2%</p> <p>No religion, 41.17%</p> <p>Prefer not to say, 4.19%</p> <p>Other religion, 3.82%</p> <p>Roman Catholic, 2.37%</p> <p>Hinduism, 0.11%</p> <p>Jehovah's Witness, 0.89%</p> <p>Muslim, 0.37%</p> <p>Sikhism, 0.07%</p> <p>Buddhist, 0.3%</p> <p>Jewish, 0.04%</p>
Sexual Orientation	<p>We know the sexual orientation of 50.26% of our tenants. Of those that provided detail:</p> <p>Heterosexual, 88.8%</p> <p>Prefer not to say, 8.78%</p> <p>Bisexual, 0.92%</p> <p>Lesbian or gay, 0.6%</p> <p>Asexual, 0.53%</p> <p>Other, 0.39%</p>

18.2 Tamworth and its citizens: key facts

The 2021 census indicates:

78,647 people live in Tamworth.

Sex

The number of males and females living in the Borough is almost equal. In 2021 the split was:

Total female population	39,900 (50.76%)
Total male population	38,700 (49.24%)

Age profile:

Age ranges	Residents	
Total age under 5	4,442	5.6%
Total age 5-9	4,667	5.9%
Total age 10 – 15	5,748	7.3%
Total age 16-19	3,360	4.3%
Total age 20-24	4,204	5.3%
Total age 25-34	10,733	13.6%
Total age 35-49	14,989	19.1%
Total age 50-64	15,591	19.8%
Total age 65-74	8,570	10.9%
Total age 75-84	4,826	6.1%
Total age 85+	1,516	1.9%

Housing:

14.1% rent privately
 18% live in socially rented housing
 67% own their own home

Disability

A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day to day activities. The 2024 amendment extends this to include the individual's ability to participate in their professional life 'on an equal basis with other workers'.

In 2021, 19% of people living in the borough had a limiting long-term illness.

Disabled and limited a lot	8.1%
Disabled and limited	10.9%
Not disabled	81%

Tamworth Borough Council is committed to making sure that our disabled customers are not disadvantaged when accessing or using our services. We are committed to providing a high standard of accessibility to our services and our commitment extends further to customers who are not disabled but have a need. We have a Reasonable Adjustments Guidance for Customers which is available on the council's website and referenced in our customer communications.

Health

Residents described their health as:

Very good health	44.6%
Good health	35.2%
Fair health	14.3%
Bad health	4.5%
Very bad health	1.4%

Religion

Religion refers to any religion, including a lack of religion. Belief refers to any religion or philosophical belief and includes a lack of belief.

No religion	44.3%
Christian	49.1%
Buddhist	0.2%
Hindu	0.3%
Jewish	0%
Muslim	0.5%
Sikh	0.2%
Other	0.4%
Not answered	5%

Marital status

Residents described their marital status as:

Not married	35.5%
Married/Civil Partnership	45.9%
Separated	2.3%
Divorced	10.1%
Widowed	6.2%

Ethnic Origin

Residents described their ethnic origin as:

Asian, Asian British, Asian Welsh	1081	1.4%
Black	492	0.6%
Mixed or multiple ethnicity	1472	1.9%
White	75,309	95.8%
Other ethnic origin	288	0.4%

Country of birth

Top 5 country of birth:

England	91.6%
Romania	1.9%
Poland	1.1%
Scotland	0.8%
Wales	0.7%

Sexual orientation

The residents that identified as gay or lesbian was 1.22%. This is similar to the proportion in England.

Gender

0.14% of all people who responded to the gender identity question reported an identity different from the sex they were registered with at birth.

19 How life has changed in Tamworth between the last two censuses held in 2011 and 2021.

Between the last two censuses, the population of Tamworth increased by 2.4%, from just over 76,800 in 2011 to around 78,600 in 2021.

In 2021, Tamworth was home to around 18.2 people per football pitched sized piece of land, compared with 17.8 in 2011. This area is amongst the top 25% most densely populated English local authority areas at the last census. Tamworth has a total green space coverage of 4.14%, this is higher than the national average across England of 2.22%.

The population increased by a smaller percentage than the overall population of the West Midlands (6.2%), and by a smaller percentage than the overall population of England (up 6.6% since the 2011 census).

With regards to education, 66% have a qualification in English and maths which is lower than the average of 78.75%.

With regards to health, 7.95% are cigarette smokers which is lower than the average of 12.4%, adult obesity prevalence is 35.9% which has increased from 26.4%. Tamworth is similar to the national average for anxiety, life satisfaction and feeling life is worthwhile and higher than the national average for happiness, scoring 7.8 out of 10.

In 2021, 8.1% of Tamworth residents were identified as being disabled and limited a lot. The figure decreased from 10.2% in 2011. In 2021, just under one in nine (10.9%) were identified as being disabled and limited a little, compared to 10.6% in 2011. The proportion of Tamworth residents who were not disabled increased from 79.3% to 81%. Residents describing their health as good fell from 35.6% to 35.2%.

Residents describing their health as very good increased from 42.6% to 44.6%. 12.5% of residents were diagnosed with chronic depression, the second highest in the county. This could be attributed to social, economic or cultural factors.

There was a rise in private renting. In 2021, 14.1% of Tamworth households rented privately. The figure increased from 11% in 2011. In 2021, just over one in six households (18%) lived in socially rented housing compared to 19.3% in 2011.

The percentage of Tamworth households that owned their own home decreased from 68.2% to 67%. Tamworth has a higher level of home ownership than the national average, with the average house price of £246,081 which is lower than the national average.

18.25% of households have no access to a car or van, which is less than the proportion in 2011.

Tamworth has a digital exclusion risk index (DERI) of 3.03. This means that Tamworth has a similar digital exclusion risk to England (3.00). This is derived from three components: age, broadband access and deprivation. 83.8% have gigabit capable broadband.

The median age increased by one year, from 39 to 40 years of age. Tamworth had a similar average (median) age to the West Midlands as a whole in 2021 (40 years) and had a similar average (median) age to England (40 years). The number of people aged 65-74 rose by just under 2,100 (an increase of 31.6% while the residents between 35 and 49 years fell by around 1,800 (10.9% decrease). The share of residents aged between 65 and 74 years increased by 2.4% between 2011 and 2021.

In 2021, 4.3% of Tamworth residents (aged five years and over) reported providing up to 19 hours of unpaid care each week. The figure decreased from 6.7% in 2011. In 2021, around 1 in 50 people (2%) reported providing between 20 and 49 hours of unpaid care each week, compared to 1.6% in 2011. The proportion of Tamworth residents (aged 5 and over) that provided at least 50 hours of weekly unpaid care remained at 3.3%.

Census 2021 was undertaken during the coronavirus pandemic. This may have influenced how people perceived and managed their provision of unpaid care and may have affected how people chose to respond.

In the latest census, around 72,000 Tamworth residents said they were born in England. This represented 91.6% of the local population. The figure has decreased from just under 72,400 in 2011, which at the time represented 94.2% of Tamworth's population. Romania was the next most represented, with just over 1,500 Tamworth residents reporting this country of birth (1.9%). This figure was up from fewer than 50 in 2011. The number of Tamworth residents born in Poland rose from just under 600 in 2011 (0.8% of the local population) to just over 900 in 2021 (1.1%).

2.75% of households have no people that have English as a main language, which is less than the proportion in England of 5.02%.

In 2021, 44.3% of Tamworth residents reported having no religion, up from 29.3% in 2011. In 2021, 49.1% of people in Tamworth described themselves as Christian, down from 63.3%.

There are many factors that can cause changes to the religious profile of an area such as changing age structure or residents relocating for work or education. It may also be caused by differences in the way individuals chose to self-identify between censuses. Religious affiliation is the religion with which someone connects or identifies, rather than their beliefs or religious practice.

The percentage of households including a couple without children in Tamworth decreased by 1.4% from 19.9% to 18.5%. The percentage of adults who have never married or registered a civil partnership increased by 3.8% from 31.7% to 35.5%.

There was a fall in employment, 58.3% said they were employed, down from 60.6% in 2011. Tamworth had the region's third highest percentage of people aged 16 years and over who were employed. Census 2021 took place during the coronavirus pandemic, a period of rapid change; the national lockdown and furlough measures will have affected the labour market and the Census's ability to measure it. The largest employment sector in Tamworth is defined as 'elementary' occupations at 15.94%. Elementary occupations consist of simple and routine tasks, which mainly require the use of handheld tools and some physical effort or unskilled or semi-skilled work. Skilled trades were 11.99% and professional occupations at 11.63%. The smallest employment sector is 'caring, leisure and other services at 8.68%.

In 2021, 95.8% of people in Tamworth identified their ethnic group within the 'white' category, compared to 97.3% in 2011. 1.4% identified their ethnic group within the Asian category, compared to 1% in the previous decade. The percentage of people who identified their ethnic group within the black category increased from 0.5% in 2011 to 0.6% in 2021.

20 Current challenges and their impact on equality, diversion and inclusion

The financial outlook for all local government is challenging. We strive to support our community within our resources and where possible provide free access.

From 30 July to 5 August 2024 far right, anti-immigration protests and riots occurred in England and Northern Ireland, including Tamworth.

In response to this, the council is focussing on community cohesion, including commissioning 'Honest conversations community cohesion commission'. this will engage our communities with key outcomes of;

- Promoting social integration and inclusion
- Fostering an environment where individual from diverse backgrounds feel included
- Strengthen community engagement and participation by encouraging active involvement from all community members in community building initiatives
- Address inequalities and promote fairness by identifying systemic inequalities and barriers that prevent certain groups from fully participating in community life
- Foster intercultural and intergenerational dialogue
- Building resilient and supportive communities
- Enhancing community spirit and increase participation in community activities by cultivating a shared sense of pride and identity with the community that transcends individual differences when considering the town's diverse

heritage.

21 Delivering equality in our services

Workforce

We continue to foster an inclusive and supportive culture. Our People and Organisational Development strategy and policies puts inclusion and respect at the heart of the council's culture.

Community

We work more closely with community groups, listening to residents and an increased focus on addressing the causal issues. Furthermore, we have close links with partnership agencies.

Leaders within the community are also committed to cohesiveness. Some examples of collaborative inclusive work include; a local church is voting to decide whether they wish to register for same sex marriages, this will be the first church in Tamworth to do this, a launch of an Inclusive Church at the Helping Hands café for openly queer, neuro diverse, disability friendly congregation, registering as an Inclusive Church with the Inclusive Church network and organising a social event for the polish community.

Black Lives Matter

The Black Lives Matter (BLM) movement in the summer of 2020 is actively anti racist and not simply against racism.

Religious Discrimination

Tamworth Borough Council is committed to eradicating religious hatred and intolerance for all religions and faith and also recognises the impact of wider world conflicts on our community.

Tamworth Borough Council has adopted the international Holocaust Remembrance Alliance (IHRA) definition of Anti-Semitism.

Deprivation

There is deprivation with the community which impacts on health and wellbeing. Working with partners we have supported deprived areas. For example, providing free sport and fun activities during the summer holiday and free to access community archaeology in school holidays, re-enactment events such as the Saxon longboat and Offa procession. Access to free and very low-cost activities remain a key objective for the museum service to ensure that residents can engage with their local history, heritage and culture. These opportunities are increasingly difficult to fund and require the service to focus resources and generate income.

Immigration

We are proud to welcome and support people from other countries and have provided active support to refugees. More recently nationally we have seen migration from areas of conflict, including Syria, Iraq, Afghanistan, Hong Kong and Ukraine. What all have in common is a need to access council services equitably, for housing, community spaces, transport and employment opportunities. As people from other countries, they may need extra support to use our service, integrate into our communities and understand their rights and responsibilities. They may have experienced significant trauma in their home countries or during their stay in the United Kingdom. This coupled with the stress of adapting to a new country can increase the risk of mental health problems. We have worked with asylum seekers and have also offered a weekly wood carving workshop as part of the heritage crafts project. This has engaged people from other countries with the local environment and provided regular wellbeing opportunities.

Our Environmental Health team are all trained in modern day slavery to be aware of the signs when carrying out inspections on commercial premises. The team have been working with immigration officers from the Home Office to identify premises that may be operating with illegal workers/in modern day slavery. Officers use Language Line for an interpretation service for any persons whose first language is not English.

We deliver a range of services, which we adapt and review to meet local needs and opportunities, and to take account of our funding situation. We offered a range of services that particularly support our community, the list is not exhaustive:

- A range of grants to support the voluntary and community sector to deliver local projects within the community
- We have commissioned a financial wellbeing, debt and generalist advice service and an outreach service with Citizens Advice Mid Mercia
- Tamworth Castle's heritage craft project takes craft activities into community spaces such as sheltered accommodation, libraries and community spaces to reduce financial and physical barriers to accessing heritage engagement.
- Increased outreach activities and digital access to our museum collections.
- Sheltered Lifeline Services – an adaption to support living independently. The lifeline service supports those older tenants to live independently, providing a simple and effective way to communicate with their scheme manager or lifeline operator.
- Tamworth Advice Service offered welfare benefits and debt advice
- Community Infrastructure Levy (CIL) and Section 106 (s106) agreements: We work with developers to secure contributions towards appropriate infrastructure to mitigate the impact of development within Tamworth. The fund contributed £10,000 towards a project to surface an existing popular footpath in the north of the borough. The newly tarmacked surface now means safer and smoother journeys for pedestrians, pushchairs, and wheelchair users, all year round.
- We provided a successful winter relief project for Rough Sleepers and those homeless.
- We opened up Tamworth Assembly Rooms to provide a safe warm space in the winter and assisting residents in fuel poverty.
- We achieved the Silver standard of the Armed Forces Covenant by providing support to veterans and their families. We have close links with the Armed forces champion in the Department of Work and Pensions DWP to support

veterans and those leaving the forces to assist them with housing via the Council's housing register. Our Disabled Funding Grants team prioritise disabled veteran's needs.

- Supported the launch of Tamworth's park run.
- Provided free fun and sports activities to children in school holidays
- We were successful in achieving the Football Foundation grant which enabled a 3G football facility to open at Anker Valley which will target females into football and encourage wellbeing with walking football and active wellbeing sessions.
- Housing Solutions commissioned a further extension to the Tamworth Advice Centre contract delivering a satellite surgery at Sacred Heart to provide debt and generalist advice to the most vulnerable in our society.
- We successfully worked with Staffordshire County Council on the Homes for Ukraine scheme, securing accommodation, sometimes in an emergency and preventing homelessness from hosts for people fleeing a worn torn country
- Supporting wider refugees via the Afghan and Syrian resettlement scheme applying to the housing register.
- Carried out direct matches and higher banding awards for those in need of more suitable accommodation i.e those with disabilities that are unsuitably housed.
- Comply with the Social Housing Regulation Act, retaining housing stock that has disabled access i.e. Level access showers, wider doors, for those who need it.
- Housing Solutions Officers deal with clients every day who are homeless or threatened with homelessness of which many of this cohort have protected characteristics.
- A dedicated rough sleeper outreach officer who works closely with the same clients as above and those most disadvantaged in our community.
- We are signed up to the Staffordshire wide protocol to assist care leavers and homeless 16/17-year-olds.
- We have close links with partners supporting those recovering from substance misuse and addictions.
- We have close links and work with partners supporting victims of domestic abuse.
- All new policies and processes are Community Impact Assessed.
- Our websites comply with web content accessibility guidelines.
- Our graphic designs take care to show diversity in the images and photos used to represent Tamworth.
- We offer different formats for letters or information, in addition to offering a translation service including braille. In addition we have launched language line with access to translators and British sign Language interpreters.
- Revenues and Benefits staff undertake welfare visits to our most vulnerable customers
- Revenues and Benefits have implemented a Local Council Tax Reduction Banding scheme to assist our most vulnerable customers. We refer to debt advise agencies and engage with local partners to look to assist those who require debt advice and assistance
- Subtitles are used in all our videos shared online, enabling diverse communities to access the content.
- We supported PRIDE by flying the PRIDE flag in June for PRIDE month, demonstrating the Council is an LGBTQ+ ally.
- We supported awareness days, lighting the castle or flying the flag to mark important days, to highlight the issue/celebration and to show support e.g.

Holocaust memorial day, dementia awareness week, Armistice Day, Diwali, World Cancer Day.

- Held and supported Women's International Day involving local businesses to share, celebrate and promote women in the workplace.
- The council's annual survey is made available in a number of ways to make it accessible. It is available digitally, by completing a hard copy and completing over the telephone with a member of the team.
- We have a reasonable adjustments policy for customers to request adjustments to meet their needs.
- Our car parks include 39 accessible parking spaces across the town centre, we allow free parking for blue badge holders and we are continuing to review our parking facilities to make them more accessible for all.
- The Tamworth Enterprise Centre provides accessible office accommodation for small businesses to start up and grow.
- Regeneration projects including Future High Streets Fund are aimed at improving Tamworth, especially the town centre for all including making it a more accessible and inviting space. Specific improvements to come include widening the bridge from Market Street to the Castle grounds thus improving access, re-leveling St. Editha's square as part of the re-development of the public realm in Tamworth, and creating a second enterprise centre with further business spaces with greatly improved accessibility such as installation of a lift and more level access across floors.
- We introduced an annual Tamworth Civic Pride event which celebrates local heroes in the community representing a wide range of minority and voluntary groups that make a difference in Tamworth.
- We are a disability confident committed employer.
- We monitor and report on our progress against the gender pay gap.

22 Diversity and equality action plan 2025 – 2029

Priority areas for action:

The Local Government Association has outlined four areas of focus for equality, diversity and inclusion. We already incorporate these cross-cutting themes into our work, and we are committed to further action to put these at the heart of what we do.

This strategy outlines our priorities in delivering each strand of work and the context that each of these operates.

Priorities and actions will be reviewed annually to ensure the strategy meets changing legislative and operational priorities.

Area 1 - Understanding and working with our communities:

A focus on equality, diversity and inclusion is central to our community relationships. It is vital to understand that protected groups may have differing needs and what we can do to meet those, to prevent conscious or unconscious discrimination and unfairness.

Priorities:

Providing inclusive services, understanding and addressing barriers to accessing our services and community assets.

Action:

- Marmion House reception and council chamber refurbishment is accessible
- Providing alternative access to services for those who are digitally excluded
- Continue to use feedback from our community to develop our services
- Report on our comments, compliments and complaints and take positive action to address any equality, diversity and inclusion issues.
- Publicising an AccessAble guide for Tamworth
- Sports club engagement for adapted sports provision to ensure sport is inclusive and accessible for all
- Continuing to embed use of ALT text on images, and expanding accessibility pages on our websites and venues
- Working with the deaf community to better understand their needs

Priorities:

Promoting partnership working and actively engaging with diverse community groups to understand their needs and perspectives.

Action:

- To continue to work with the community to reduce exclusion
- Undertake the Community Cohesion survey and deliver on the actions and recommendations from the Community Cohesion 'Honest Conversations' Commission/Community Cohesion Plan, the working plan will commence in May 2025

- Having a more inclusive and representative Tenants Consultative Group
- Continue to work with partners to support emerging communities and new arrivals

Area 2 - Leadership and organisational commitment

The council has a key role to play in demonstrating leadership on equality, diversity and inclusion. We are responsible for providing investment and services that tackle inequalities. EDI runs through our strategies and will be a key part of our business and service plan.

Priorities:

Challenging discrimination: using our voice, our services and our economic influence to challenge prejudice and institutional discrimination.

Actions:

- We require our suppliers to show they operate in the highest standards, such as tackling modern day slavery
- Work with partners to be a leader in equality, diversity and inclusion
- Continuing equality and diversity training
- Deliver training on tackling hate crime by being an ally
- We will train elected members of equality and diversity issues so that they are well informed

Priorities:

Improving service design: building in a strong equality, diversity and inclusion process at the onset of policy and service design so that we meet the needs of our residents.

Actions:

- Use best practice to inform council policies and activity
- Explore attaining 'Compassionate Communities' status or 'City of Sanctuary'
- Our new Equality, Social Inclusion and Health Impact Assessment will ensure new policies and services fully consider the impact on protected groups.
- We will monitor the equality outcomes on new or updates services or policies.
- Develop a repository for Equality, Social Inclusion and Health Impact Assessments.

Area 3 - Responsive services and customer care

The needs of residents is at the heart of everything the council does. It is vital that our services and our staff can respond and adapt to the needs of all residents. We are committed to high levels of customer care and our HR policies outlines the standards and values we expect our workforce to uphold for each other and our customers.

Priorities:

Ensuring our services are accessible physically and digitally to ensure every contact counts

Actions:

- Champion digital inclusion and accessibility as we move towards digital by default services, working with partners to ensure access to devices, connectivity and skills development.
- Champion plain English in our correspondence
- Continue to drive a culture change towards empathy and a caring council
- Monitor and analyse data collected on harassment and hate crime and take appropriate actions to address issues identified
- Work with local partners and authorities to benchmark and share best practice around customer service delivery and inclusion
- Champion support networks for residents
- Explore proposal for residents to access multiple services in one place, through plans for Marmion House reception, Council office offer
- Explore developing Orchard/IT systems to capture required reasonable adjustments
- Working with the deaf and hard of hearing community to improve service accessibility
- Collating more comprehensive data on our tenants so that there is a greater understanding of their needs which is aligned to census data
- Being accessible to the community through offering face to face appointments to those who are digitally excluded
- Provide opportunities for individuals and groups to provide input to decision making processes
- To work with the community to reduce exclusion
- When services are reviewed and changes are proposed, we will carry out Equality, Social Inclusion and Health Impact Assessments to ensure the full impact of the changes are understood before decisions are made and maximum inclusion is achieved.

Area 4 - Diverse and engaged workforce

Equality and diversity will be prioritised internally. This includes commitments on recruitment, development and retention to ensure the workforce reflects the makeup of the town. Equality, diversity and inclusion will be embedded within our policy making and service delivery.

Priorities:

Becoming an inclusive employer: setting and promoting policies and providing training to foster an inclusive working culture

Actions:

- Establish an Equalities Steering Group
- Implement and embed the council's strategy and Equality Action Plan

- Publication of workforce data on an annual basis and compare against the community to ensure the organisation is reflective of the community it serves
- Publication of annual gender pay gap
- Develop and publish annual ethnicity pay gap
- Develop and publish annual disability pay gap
- Equality and diversity training is reviewed to ensure it is fit for purpose, addressing current themes or challenges
- Safeguarding and modern slavery training is delivered to all employees
- Publicising the council's zero tolerance of all forms of harassment in the workplace

Priorities:

Attract, recruit, develop and retain a diverse workforce

- Improve our data collection to help us understand the barriers and opportunities to recruiting, training and developing talented people from diverse backgrounds.
- Use staff surveys to collect information about our employees and use it to check that employment procedures and practices are fair, inclusive and transparent and continues our commitment towards creating a skilled and diverse workforce.
- Empowering employees to create staff networks that represent their interest and their experiences. Utilising staff networks to promote wellbeing and diversity and use them as a consultation group for relevant policies.

Feedback

We welcome all feedback on the content of this strategy.

You can contact us by emailing enquiries@tamworth.gov.uk, telephone 01827 709709.



Part 1 – Details	
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Diversity and Equality
Date Conducted	October 2024
Name of Lead Officer and Service Area	Jackie Noble HR
Commissioning Team (if applicable)	N/A
Director Responsible for project/service area	Anica Goodwin
Who are the main stakeholders	Employees and residents
Describe what consultation has been undertaken. Who was involved and what was the outcome	CMT TULG Members
Outline the wider research that has taken place (E.G.	

commissioners, partners, other providers etc)		
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input checked="" type="checkbox"/>
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	<input type="checkbox"/>
	Existing	<input type="checkbox"/>
	Being reviewed	<input checked="" type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment
<p>Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.</p> <p>To comply with the Equality Act 2010 which will ensure TBC’s employees and services it offers are not discriminatory.</p>
Who will be affected and how?

All employees - This policy provides guidance for of support.			
Are there any other functions, policies or services linked to this impact assessment?			
Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If you answered 'Yes', please indicate what they are? All employees Landlord Services Health Inequalities Policy Housing Strategy TBC Corporate Objectives			

Part 3 – Impact on the Community			
Thinking about each of the Areas below, does or could the Policy function, or service have a <u>direct</u> impact on them?			
Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of age
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of disability and explicitly references reasonable adjustments
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of gender reassignment

Marriage & Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of marital status
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of pregnancy and maternity
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of race
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of religion or belief
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of sexual orientation
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of sex
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment
Those with Caring/Dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The policy applies consistent and fair treatment irrespective of those with caring responsibilities
Those having an offending past	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There may be a negative impact as some roles/taxi licences require a clean DBS
Children	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Drug or Alcohol problems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Those with Mental Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor

Those with Physical Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Social inclusion. Please include refugees and asylum seekers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The strategy has a positive impact on refugees and asylum seekers with a greater emphasis on community cohesion
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor
Health and Wellbeing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The strategy has a positive impact on health and wellbeing
Climate Change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not a factor

Part 4 – Risk Assessment		
From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications		
Impact Area	Details of the Impact	Action to reduce risk
Criminal record	Some roles require a clean DBS	Utilising the government’s DBS checker to ensure the role isn’t over vetted

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome

Date of Review (If applicable)

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Equality, Social Inclusion and Health Impact Assessment (ESHIA)

An ESHIA is a review of a new or existing policy, strategy, project, report or service change to establish whether this has a differential impact on specific equality groups and identifies how we can improve equality of opportunity for different groups of people.

An ESHIA aims at improving Tamworth Borough Council’s work, by promoting equality, social inclusion, health and wellbeing by ensuring that the proposed or existing policy promotes equality and can benefit a wide range of people.

Details

Title of the proposal		
Director responsible for the project or service area		
Officer completing the assessment		
Date conducted		
Who are the main stakeholders?		
What is being assessed?	A decision to review or change a service	
	A strategy, policy, report or procedure	
	A function, service, or project	
What kind of assessment is it?	New	
	Review of existing	

Part One - Initial screening:

This section should be used to carry out an initial screening of changes or decisions to help to decide whether a full ESHIA is required.

The following six screening questions are designed to assess whether this proposed change is likely to have an impact on equality, social inclusion, health and wellbeing.

		Yes	No
1	Does this new or revised project, proposal, policy, report, procedure likely to have an impact?		
2	Does the proposal seek agreement to a key decision involving allocation of resources, such as changes in funding or resources, initiation of a new programme or project or procurement?		
3	Does the proposal seek agreement on restructuring or reorganising of staffing?		
4	Will this policy or proposed change have any impact on potential suppliers?		

5	Does this policy or proposed change impact on any HR policy or practice within the council?		
6	Does this policy or proposed change have any implications for equalities, social inclusion and health and wellbeing not covered above?		

1. If the answer is **no** to all the questions, please provide a summary below outlining why this conclusion has been reached.
2. If the answer is **yes** to any of the questions, please conduct the full ESHIA as detailed in Part two.

If you are unsure of any of the answers, please seek advice from Human Resources.

Summary of initial screening outcome:		
Decision	Yes	No
Initial screening only		
Proceed to Part Two, full assessment		

Initial screening completed by	
Date	

Full screening completed by	
Date	

Equality, Social Inclusion and Health Impact Assessment (ESHIA)

Part Two: Full assessment

Section 1

The purpose of the project, proposal or decision required. Set out the aims, objectives, purpose and outcomes of the area being impact assessed. Are any other functions, policies or services linked to this assessment?

Section 2

Evidence used and considered. Include analysis of any missing data.

Section 3

Consultation undertaken with interested parties who will/may be affected proposal? What were the outcomes of the consultation?

Section 4

What are the potential or actual impacts of the proposal? Please consider both the direct and indirect impact and refer to the guidance for additional information.

Impact Area	Impact? Positive (P) Negative (N) Neutral (Ne)	Details of the impact	Action to address negative impact
Protected Characteristic, as outlined in the Equality Act 2010			
Age			
Disability			
Gender reassignment			
Marriage and civil partnership			
Pregnancy and maternity			
Race			
Religion or Belief			
Sex			
Sexual Orientation			

Are there socio-economic groups likely to be affected? If yes, please provide detail below			
Other social exclusion			
Digital exclusion			
Veterans and serving members of the armed forces and their families			
Young people leaving care			
Health and Wellbeing: Individuals and communities in Tamworth	Impact: Positive (P) Negative (N) Neutral (Ne)	Explanation	Action to address negative impact
Will the proposal have a direct impact on an individual's health, mental health and wellbeing?			
Will the proposal directly impact on housing?			
Will there be a likely change in demand for or access to public services such as health and social care services?			
Will there be an impact on diet and nutrition?			
Will there be an impact on physical activity?			
Will there be an impact on transport, travel and connectivity?			
Will there be an impact on employment and income?			

Will there be an impact on education and skills?			
Will there be an impact on community safety?			
Will there be an impact on the environment, air quality, climate change?			

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, please move to section 6.

Section 5

Where a potential negative impact has been identified, can continuation of the proposal be objectively justified? If yes, please explain your reasons.

Section 6: Decisions or actions proposed

The assessment may result in some recommendations or suggestions to mitigate any negative impact and maximise positive impacts or actions to reduce the risk of an adverse impact.

Section 7: Monitoring arrangements

Who will be responsible for monitoring	
Frequency of monitoring	
Where will the impact assessment be reported to?	
Where this impact assessment will be stored in line with the council's retention schedule.	

Section 8: Summary of actions to mitigate negative impact (if required)

Impact Area	Action required	Lead officer/responsible person	Target date	Progress

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Equality, Social Inclusion and Health Impact Assessment (ESHIA) Guidance

Introduction

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our may take and is about what is considered to be needed in a local authority's area, in line with local factors such as demography and strategic objectives as well as with the national legislative imperatives.

Tamworth Borough Council does this using a template called Equality, Social Inclusion and Health Impact Assessment (ESHIA). This provides:

- A mechanism to systematically assess the possible effects that a policy, project or decision is likely to have on different people. It can assist to identify possible discrimination by analysing policies, projects, practices, processes, procedures, services and decision, to make sure they do not discriminate or disadvantage people and will help towards improving or promoting equality.
- An opportunity to identify any mitigating action that can be taken to improve outcomes
- A mechanism for contributing to compliance with the Public Sector Equality Duty.

ESHIA forms part of the committee paper documentation for elected members to consider in decision making processes and are a crucial component within such considerations as well as demonstrating an open and transparent approach. For committee reports it will be presented as an appendix to the committee report.

The legal context

The Equality Act 2010, together with the Human Rights Act 1998, forms a framework for equality, diversity, social inclusion and human rights.

Tamworth Borough Council seeks to ensure that, like other public authorities, it is compliant with the Public Sector Equality Duty. The Public Sector Equality Duty (PSED, or "the duty") requires public authorities to have due regard to certain equality considerations when exercising their functions and making decisions. The Equality Duty can be found in sections 149 to 157 of the Equality Act 2010.

Government guidance was last updated in December 2023. The statutory duty ensures that organisations consider how their functions will affect people with different protected characteristics. The protected characteristics are:

1. Age
2. Disability
3. Gender reassignment

4. Marriage and civil partnership
5. Pregnancy and maternity
6. Race
7. Religion or belief
8. Sex
9. Sexual orientation

There is also intersectionality between the protected characteristics. For example, a person with a disability would be in the groupings for 'age' and 'disability', and if they described themselves as having a faith they would then also be in the grouping of 'religion and belief'.

These functions include their policies, programmes and services. The duty supports good decision making by helping decision makers understand how their activities affect different people. It also requires public bodies to monitor the actual impact of the things they do.

Government guidance states that the officer undertaking the screening must determine how much weight should be given to the various factors informing the decision. The duty does not mean that decisions cannot be made which disadvantage some people, provided it does not constitute unlawful discrimination, but the officer should be aware of the equality impacts of these decisions and consider how they could positively contribute to the advancement of equality and good relations. The officer should consider ways of preventing or balancing the effects that their decision may have on certain groups. They should decide which mitigations, if any, they might want to put in place in reconsidering the decision. The mitigation should be proportionate. It is a legal requirement, making decisions without due regard is unlawful.

Responsibility for complying with the general duty falls with the decision maker which is usually the elected members where reports are presented to committee. It is therefore essential that the decision maker sees the assessments that officers have made to ensure compliance with the general duty.

What is the duty?

The general duty requires public authorities, in the exercise of their functions, to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment, victimisation and any other unlawful conduct prohibited by the act.
2. Advance equality of opportunity between people who share and people who do not share a relevant protected characteristic.
3. Foster good relations between people who share and people who do not share a relevant protected characteristic.

Having 'due regard' means properly considering the three aims identified in the Act, and how they relate to the function being exercised and then deciding what weight to give them. A proportionate approach should be taken to the resources spent on duty compliance, depending on the circumstances of the case and the seriousness of the potential equality impacts on those with protected characteristics.

Eliminating unlawful conduct prohibited by the act means eliminating discrimination, harassment, victimisation, failure to make reasonable adjustments and any other conduct that is prohibited under the act.

Advancing equality of opportunity means having due regard, in particular to the need to:

- Remove or minimise disadvantages suffered by people due to their protected characteristics.
- Take steps to meet the different needs of people who share a relevant protected characteristic.
- Encourage participation in public life or any other activity by underrepresented groups.
- Take steps to meet the different needs of disabled persons.

Considering people's different needs and taking steps to meet those needs can be relevant to avoiding indirect discrimination.

Fostering good relations means having regards to the need to deal with prejudice and support understanding. For example, some decisions have the power to bring divided groups together and to support their mutual understanding. Other decisions may inadvertently cause people with one protected characteristic to blame people with another for a social problem.

The local context:

Our ESHIA goes further than just the protected characteristics and includes several other elements including safeguarding of the vulnerable, social inclusion, armed forces, health, the environment and climate change.

This is so we are thinking as carefully and completely as possible about all Tamworth groups and communities, including people who we may describe as vulnerable, for example due to low income or due to safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging, or delivering services.

Incorporating health, wellbeing and social inclusion means data can be collected and analysed more proactively. This equips service areas to have due regard to the three aims when considering and planning service changes, and to link in with climate change considerations.

The ESHIA also brings health and wellbeing more to the fore, as part of the work we do and through the work we do with partners to ensure that health is within all our policies. It demonstrates Tamworth Borough Council is working to address health inequalities within our communities.

Almost every aspect of our lives impacts our health and ultimately how long we will live. This includes our jobs and homes, communities, access to education and public transport and whether we experience poverty or discrimination. These factors are often referred to as the 'wider determinants of health'.

We have a duty to improve the health of the local population in Tamworth. In effect this means that health is everyone's business. Therefore, the potential health and health inequalities impact of new strategies, policies, plans and programmes should always be carefully considered to maximise the positive impacts.

Health is also both an enabler and opportunity for us all. A healthier population will mean more people in work, a stronger economy, better attainment at school, and less demand on health and care services.

The health section of the assessment will consider individual factors, like lifestyle, as well as the wider determinants of health such as education, housing, green spaces, environment, and employment. It can create “win-win” solutions e.g. good spatial planning has many non-health benefits but if designed appropriately it can increase physical activity, improve mental health and reduce carbon emissions, all of which improve health.

It also provides the opportunity to amend the design of a proposed plan, strategy, policy, or project if necessary and can be used to assess the positive aspects of a proposal (e.g. the creation of good jobs), and the negative effects (e.g. air pollution impacting vulnerable groups). It is particularly focused on looking at how disadvantaged groups may be affected, to minimise the risk of widening inequalities.

Ultimately it will inform decisions on how we can maximise the positive and minimise the negative health impacts. It informs decisions as to whether the impact on health of a particular proposal is acceptable or not. It assists the decision-makers by giving them better information, but it does not make the decision for them. The approach uses a range of quantitative, qualitative, and participatory techniques.

Stage 1 – initial screening to identify adverse impact

The aim of this stage is to help to identify whether there may be any potential adverse impact on people from a protected characteristic or other groups that we have included. Where equality issues are not affected, or there is little impact on people of the policy or service change, we only complete this initial stage or the form.

Stage 2 – full analysis

This stage provides an opportunity to explore whether there may be a positive, negative or neutral impact on different groups of people and decide if any action needs to be taken to design out, minimise or enhance it.

Stage 3 – develop an action plan

Undertaking stage 2 analysis helps to identify whether there will be any significant impact resulting from our practice or service change decision. The action plan will help to develop measurable interventions that will help ensure we mitigate or remove any impact.

Why should an ESHIA be undertaken?

- Understanding the likely impact of action you propose to take will help you to ensure that you are using Council resources as efficiently and fairly as possible.
- Where the assessment identified potential inequality or inefficiency you have an opportunity to make changes to mitigate any potential adverse impact identified.

- Findings can be used in assessing cumulative impact of a number of policies for particular protected groups.
- It enables you to identify and take action to reduce the likelihood of possible unlawful discrimination which might otherwise result from the implementation of the policy.
- It supports us in considering how we can advance equality of opportunity and foster good community relations between people who share one or more of the protected characteristics.
- Service user consultation.

At what stage should the ESHIA be carried out?

- As soon as there is enough detail to carry out meaningful analysis and consultation.
- While it is still possible for findings to influence final proposals.
- Where significant changes to an existing policy or service are under consideration.
- When a planned review is being carried out.
- When you become aware of significant changes in the target recipients for an existing policy.
- The assessment should be undertaken at timely points in the development and implementation of a proposed change. This enables energies to be focussed on review, monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

How much time and other resources should be allowed for completion of the ESHIA?

- This will depend upon the scale and complexity of the proposals. Resources allocated should be in proportion to the business change proposal and the number of people likely to be affected. It should be undertaken at the formative stage so that it is integral to the decision-making process for change.
- The outcome of the ESHIA is only one factor in the overall decision-making process. Other factors such as financial or legal matters may have equal or greater influence over the decision.

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Cabinet

Thursday, 21 November 2024

Report of the Portfolio Holder of Environmental Sustainability, Recycling and Waste

Health and Safety Policy

Exempt Information

None.

Purpose

To update members regarding the updated Corporate Health and Safety Policy September 2024. The reviewed policy can be found in Appendix 1.

Recommendations

It is recommended that:

1. Cabinet formally approves the policy for immediate implementation.

Executive Summary

The Health and Safety Policy has been reviewed and updated, and approved by the Health and Safety Working Group, and has been subject to consultation with the Corporate Management Team and our recognised Trade Unions and Appointment and Staffing Committee.

The main updates to the existing policy include:

Updated foreword

Inclusion of the new Chief Executive's name.

Clarification of specific roles and responsibilities for

- Leader, cabinet and elected members
- Member Lead
- Housing landlord health and safety lead
- Health and safety champion
- Directorate health and safety champions
- Asset management
- Minor wording changes

Options Considered

Not applicable.

Resource Implications

There are no ongoing resource implications for implementing the updated policy.

Legal/Risk Implications Background

Not having legally compliant health and safety policies exposes the organisation to a greater risk of Employment Tribunal claims.

Equalities Implications

An updated Community Impact Assessment is attached to this report.

Environment and Sustainability Implications (including climate change)

None.

Background Information

None.

Report Author

Steve Langston- Health and Safety Manager

Hannah Peate- Assistant Director Environment, Culture and Wellbeing

Anica Goodwin- Deputy CEO and Executive Director Organisation

List of Background Papers

Community Impact Assessment

Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Updated Health and Safety Policy	
Date Conducted	25/10/24	
Name of Lead Officer and Service Area	Assistant Director Environment, Culture and Wellbeing- Hannah Peate	
Commissioning Team (if applicable)		
Director Responsible for project/service area	Executive Director Organisation	
Who are the main stakeholders	Environment, Culture and Wellbeing Regeneration and Growth	
Describe what consultation has been undertaken. Who was involved and what was the outcome	CMT Health and Safety Working Group TULG Managers Portfolio Holder	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)		
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input checked="" type="checkbox"/> Yes
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	<input type="checkbox"/>
	Existing	<input type="checkbox"/>

	Being reviewed	<input checked="" type="checkbox"/> Yes
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.
Update conducted to the Corporate Health and Safety Policy

Who will be affected and how?

The whole workforce is affected and this policy provides clarity on roles and responsibilities

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

New and Expectant Mothers Procedure

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy & Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	New and expectant mothers specifically mentioned under section 4.17 and covered through the relevant procedure referenced.
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with caring/dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those having an offending past	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Children	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Those with drug or alcohol problems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Drugs and Alcohol referenced under section 4.5 Occupational Health referenced in the policy and available for colleagues.
Those with mental health issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Occupational Health referenced in the policy and available for colleagues.
Those with physical health issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Occupational Health referenced in the policy and available for colleagues.
Social inclusion Please include refugees and asylum seekers,	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Health and Wellbeing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Having an up-to-date policy in place ensures staff wellbeing and support is recognised. Occupational Health referenced in the policy and available for colleagues.
Climate Change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.

Impact Area	Details of the Impact	Action to reduce risk
All	As above	No mitigation or further measures are considered necessary or appropriate other than those detailed in Part 5, and covered through ongoing review of relevant procedures.

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
Positive	Outcomes and Actions entered onto Pentana and now included in the quarterly performance report	AD Environment, Culture and Wellbeing.	Ongoing	Considered by CMT, Scrutiny and Cabinet
Positive	Areas positively impacted and covered in the CIA and through the H&S policy specifically.	AD Environment, Culture and Wellbeing	ongoing	Ongoing through policy reviews

Date of Review (If applicable)annually.....

Appendices

Appendix 1 Updated Health and Safety Policy

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Health, safety and welfare at work policy

September 2024

How Tamworth Borough Council delivers its commitment to
health, safety and welfare to employees and others

Document Status: Final

Document Ref: HSP

Owner: Health and Safety Team

Version: 4

Date: September 2024

Document control:

working together for a safer workplace



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Revision History

Revision Date	Version Control	Summary of changes
June 2018	3	Minor amendments to: <ul style="list-style-type: none"> • Responsibilities section amended to reflect latest restructure (Job titles) • Reviewed and updated to new format to follow HSE Guidance
June 2021	3.1	Full review postponed due to Covid response
July 2024	4	Updated foreword Inclusion of new Chief Executives name Clarification of specific roles and responsibilities <ul style="list-style-type: none"> • Leader, cabinet and elected members • Member Lead • Housing Landlord Health and Safety Lead • Health and safety Champion • Directorate Health and Safety Champions • Asset Management Minor wording changes

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1 Policy Statement

1.1 Foreword

This policy demonstrates the duty of care owed by the Council to its employees and others that it will go about its business in a way that will not put people at risk of harm.

We are all members of one team, and we need to work in a way which looks after our own and each other's health, safety, and welfare. As an employer, the Council and its managers have a duty to protect your health and safety and we know that you will enjoy work and be able to do a great job for the people of Tamworth Borough if you are fit, healthy and feel safe and well. Therefore, protecting your health and safety is in the interests of all of us – you, the people you work with, the Council and our residents.

Employees are the Council's most valuable resource and as such we are committed to ensuring their health, safety and welfare.

We expect ownership of health and safety by everyone, regardless of their seniority, their directorate or their role. We will do this by promoting its importance, by consulting and listening, and by nurturing a culture that allows people to raise issues and concerns without fear of recrimination or blame.

All of us need to take responsibility for health and safety, regardless of our role, service area or seniority. We will do this by promoting its importance, by consulting and listening, and by nurturing a culture that actively encourages us to raise issues and concerns without fear of recrimination or blame.

Please read this policy as it highlights how the Council will meet the challenges and explains the important role everyone will play in achieving the objectives and keeping people in our workplaces safe.

Stephen Gabriel
Chief Executive
September 2024

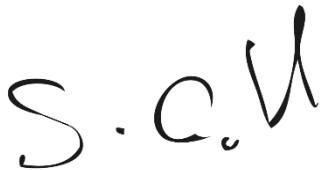
Anica Goodwin
Executive Director - Organisation
September 2024

1.2 Health, Safety and Welfare Policy Statement

- 1.2.1 This General Policy Statement underlines our belief that an excellent council is a safe council. Since we are committed to successful management of health and safety, it follows that minimising risk to people, property, service continuity and our reputation is inseparable from all our other priorities.
- 1.2.2 A high standard of health and safety management is expected of us by our stakeholders, whether they are our employees, service users, customers, the government and its enforcing agencies or society generally.
- 1.2.3 The Council recognises and accepts its statutory responsibilities as an employer and will strive to secure the health, safety and welfare of its employees and others affected by its activities (for example, members of the public, service users, visitors, contractors, etc). We will do this by assessing the possible risks and establishing suitable and adequate risk control measures.
- 1.2.4 The Council is committed to complying with all relevant health and safety legislation. The Council does, however, recognise that compliance with legislation is only a minimum requirement, and therefore we strive to improve to achieve higher standards.
- 1.2.5 The Council is committed to continuous improvement that will include the setting of objectives and targets. Health and safety objectives are regarded as being of equal importance to other corporate objectives. The management of health and safety is regarded as an integral part of the Council's business activities.
- 1.2.6 The Council acknowledges that the Policy and what it represents, can contribute to the organisation's performance and reputation by:
- Protecting our staff and service users
 - Improving the quality of services delivered;
 - Reducing losses (including accidents, violence, ill health, sickness absence) and liabilities;
 - Protecting the environment;
 - Making continuous improvements in health and safety performance; and
 - Encouraging all employees to think about how they can do their jobs more safely
- 1.2.7 Sufficient financial and physical resources will be provided to implement this policy. It is the duty of management to ensure that all processes and systems of work are designed to take account of health and safety.
- 1.2.8 The Council is committed to the development of a climate in which a positive health and safety culture can develop. The Council will achieve this by:
- Maintaining effective systems of communication on health, safety and welfare matters;

- Ensuring that there is sufficient competency within the organisation in terms of health and safety management including support and advice;
 - Establishing and maintaining control by setting clear health, safety and welfare objectives and providing strong leadership; and
 - Securing co-operation between individuals, trade unions, employee safety representatives and working groups.
- 1.2.9 Steps will be taken to take a risk assessment approach to activities to avoid accidents, work-related ill health and dangerous occurrences paying particular attention to the provision and maintenance of:
- a safe place of work including safe access to it and safe egress from it;
 - a healthy working environment;
 - plant, equipment and systems of work that are safe;
 - safe arrangements for the use, handling, storage, and transport of articles and substances.
- 1.2.10 The Council promotes a ‘no blame culture’ as this is an essential part of this policy and is supportive of individuals who participate in hazard or near miss accident reporting.
- 1.2.11 It is recognised that accidents, ill health and incidents may result from failings in management control and are not necessarily the fault of an individual employee.
- 1.2.12 All employees, however, are expected to accept their responsibility to work safely, adhering to safety rules and work procedures, using safety equipment provided, and generally to contribute to the maintenance of safe and healthy working conditions.
- 1.2.13 The Council is committed to making sure that any work carried out on its behalf, is done so with the risks to the health, safety and welfare of employees and others reduced to as low a level as is reasonably practicable. As site occupier and client, the Council will plan, co-ordinate, control, monitor and review the activities of contracted organisations to effectively minimise the risks presented by contract work.
- 1.2.14 Our contractors and their subcontractors must co-operate with us to enable the requirements of this policy and our statutory duties to be met. We will ensure that contractors selected are competent to manage the safe execution of the work, and that our contractors and their sub-contractors have systems in place to ensure that risk control measures are identified before work commences and that their activities are monitored appropriately during work.
- 1.2.15 The Council will co-operate and co-ordinate with other employers to secure a safe and healthy workplace and work environment for our employees in the case of shared workplaces. In joint ventures/partnership arrangements, managers and staff appointed by the Council are required to encourage the other partner to work to the Council’s health and safety standards. As a minimum, the joint venture/partnership arrangement must comply with relevant legislation and have access to competent health and safety advice.
- 1.2.16 The capabilities of employees as regards health and safety will be taken into account when entrusting work to them. Appropriate health and safety training will be provided to employees to enable them to meet the required standards of performance.

- 1.2.17 All managers and employees have a legal duty to take reasonable care of their own health and safety, and for the safety of other people who may be affected by their acts or omissions. Every employee must co-operate with the Council to enable all statutory duties to be complied with.
- 1.2.18 The Council is committed to effective communication and consultation on Health, Safety and Welfare matters with all relevant parties and will report on its health and safety performance on an annual basis.
- 1.2.19 The Council's Health and Safety Management system is based on The Management of Health and Safety at Work Regulations and the HSE Guidance HSG 65 'Successful Health and Safety Management'. (see Appendix 1 for detailed information)
- 1.2.20 The Health, Safety and Welfare Policy and its accompanying health and safety policies & procedures apply to all Council activities and workplaces. Compliance with this range of policies and related standards is mandatory and subject to periodic audit.
- 1.2.21 This policy will be reviewed and amended at least every two years or as required. A copy of all health and safety policy and procedures are available on the Council's intranet.
- 1.2.22 "Whilst we are each responsible for health, safety and welfare, we do much better when we work as a team. Protecting people's health and safety and promoting welfare matters to us all".
- 1.2.23 This Health, Safety and Welfare Policy Statement has the support of the Directors and their Management Teams and will be adopted within all Directorates.



Stephen Gabriel
Chief Executive
September 2024



Anica Goodwin
Executive Director - Organisation
September 2024

2. The Organisation of Health and Safety

2.1 *Devolvement of Health and Safety Management*

- 2.1.1 The Council has a system of devolved management. In line with this, health, safety and welfare functions are delegated to managers to enable, wherever practicable, health, safety and welfare issues to be addressed at a local level.
- 2.1.2 The Council has a shared service level agreement with Lichfield District Council who provides a Health and Safety Competent Person (Health & Safety Advisors) to both Stafford and Tamworth Borough Councils. These advisors provide advice and support to help managers fulfil their health and safety responsibilities.
- 2.1.3 Whilst management is devolved for practical purposes, the ultimate responsibility for health and safety of people, rests with the employer and its senior managers, i.e. Council Members, and its Leadership Team comprising the Chief Executive, Executive Director - Organisation and Directors.
- 2.1.4 Health and safety arrangements, and performance, will be monitored by Members through Corporate Scrutiny Committee in conjunction with the Chief Executive Officer, Executive Director - Organisation and Directors.
- 2.1.5 Leadership Team will ensure that health, safety and welfare is a primary consideration in policy development and resource planning. Leadership Team will also ensure adequate monitoring and will review the effectiveness of health and safety strategies across the Council.
- 2.1.6 Service Managers, line managers and supervisors play a key role in managing and supervising health and safety, and in maintaining and improving health and safety standards. To support this function, the Council will provide through its Health and Safety personnel competent advice on health, safety and welfare matters. The provision of a Health and Safety team does not detract from the primary responsibility of managers and supervisors to ensure safe conditions.
- 2.1.7 The Council also recognises the key role played by all managers and employees in effective health and safety risk management. They have a crucial part to play in maintaining and improving health and safety standards, therefore they will be made aware, via appropriate training and information, of their legal and moral obligations in respect of health, safety and welfare.
- 2.1.8 The Council will ensure that occupational health facilities are provided and will identify and control work-related ill health. Further, the Council will make sure that the work environment is monitored as necessary to encourage co-operation, partnership and joint consultation between Trade Unions appointed Health and Safety Representatives/Employee Representatives and Management on matters of health, safety and welfare.

2.2 Individual Responsibilities

The leader, cabinet, and elected members

The leader, members of the cabinet and other elected members will:

- Ensure that the health, safety and welfare implications of decisions are properly considered.
- Ensure that legal requirements in relation to health, safety and welfare are appropriately resourced to ensure no breach of law. This will be particularly important when setting budgets.
- Ensure that appropriate health, safety and welfare measures are properly incorporated within all Council activities.
- give due regard to and support the implementation of this policy when exercising their functions, ensuring that decision making is consistent with the promotion of the occupational health, safety and wellbeing policy and management of risk
- monitor the occupational health, safety, and wellbeing performance of the council
- act as role models in promoting the management of occupational health, safety, and wellbeing

Member Lead

The Deputy Leader will act as the Member lead and has accountability for strategic workforce issues, the Housing landlord lead and is responsible for holding officers to account on the delivery of the council's overarching workforce strategy including the health, safety, and wellbeing of staff.

The Deputy Leader will:

- ensure that performance is reviewed and that any significant issues are brought to their attention through regular review
- ensure elected members are kept informed of strategic occupational health, safety, and wellbeing issues
- direct actions, where appropriate, including referring decisions to council business management or cabinet
- support and promote the implementation and application of this policy amongst elected members and officers

Housing Landlord Health and safety lead

The Deputy Leader will act as the Housing Landlord health and safety lead. In this role they will scrutinise, assess, and report on compliance with those health and safety requirements relevant to the Council's direct provision of social housing. The *role* will:

- monitor the Council's providers compliance with health and safety requirements insofar they relate to its function as a registered provider of social housing
- assess risks of failure to comply with health and safety requirements;
- notify the Cabinet of material failures by the Council to comply with health and safety requirements;
- provide advice to the cabinet as to how the Council should address risks and failures to ensure that the council complies with health and safety requirements relating to tenants and housing responsibilities.

Health and Safety Champion

The prime responsibility for health, safety and welfare and the prevention of accidents, violence and ill health rests with line managers, but the ultimate responsibility for health and safety within the organisation remains with the Executive Director - Organisation. The Executive Director - Organisation will also act as the Health and Safety Champion. The Executive Director – Organisation will be supported by the Assistant Director Environment, Culture and Wellbeing.

The Council's Health and Safety Champion has a critical role to play in ensuring that health and safety risks are properly managed and will have the support of the other Directors in order to carry out this function.

The role of the Council's Health and Safety Champion does not, however, diminish the responsibilities of the other Directors, Assistant Directors and of Leadership Team, as a group with regards to the management of the health and safety risks.

The Council's Health and Safety Champion will:

- act as an advocate for occupational health, safety and wellbeing management within the council and council leadership team and will support the chief executive in meeting the responsibilities set out in this policy
- ensure adequate governance arrangements exist at council wide and directorate levels for the effective leadership of occupational health, safety and wellbeing including ensuring the cabinet member for finance and resources is informed of performance
- promote the adequate provision and allocation of resources for this policy to be effectively implemented
- ensure the appointment of sufficient competent persons to assist the council in the effective delivery of its responsibilities for occupational health, safety, and wellbeing
- ensure occupational health, safety and wellbeing matters are given due consideration when developing any policies and strategies, and when allocating associated responsibilities and resources

Directorate Health and Safety Champions

Each Assistant Director will support the Executive Directors as their Directorate Champion. They shall ensure that health and safety is given proper consideration by senior managers and more widely within teams, when developing Council policy and services.

In addition to their responsibilities as line managers, the extended leadership team will:

- demonstrate clear leadership and commitment to occupational health, safety, and wellbeing management
- where relevant, identify appropriate staff to undertake the role of Responsible Person to manage and co-ordinate building safety issues including asbestos, Legionella, fire safety and statutory testing
- identify appropriate staff to carry out occupational health needs assessments and health surveillance to meet statutory occupational health requirements

- identify appropriate staff as safety support with responsibility for health and safety within the directorate ensure that suitable resources, in terms of time, finance and personnel, proportionate to the level of risk, are available to implement health and safety policies and arrangements within their directorate and that managers and staff are competent to fulfil their responsibilities
- support a health and safety working group to promote health and safety and ensure that employees are consulted related matters

The Health and Safety Manager will provide professional advice and support to the Health and Safety Champions to allow them to fulfil their responsibilities.

2.3 Allocation of General Responsibilities

The duties and responsibilities for health and safety are allocated as follows:

Policy Makers

Policy Makers are those who are responsible for devising and adopting policy on health, safety and welfare matters at a strategic level. They devise, preserve, develop, approve, promote and maintain the Council's health and safety management system. Policy makers also make sure that health and safety matters are considered when organisational decisions are made. The Council's Health and Safety Champion has overall responsibility for policy formulation and development.

Planners

Planners are those who develop detailed local plans to achieve corporate health and safety objectives. They contribute to the Council's health and safety management system by concerning themselves with management arrangements for the identification, elimination and control of hazards and risks within their area of responsibility.

Implementers

Implementers are those within the organisation who make sure that the workplace precautions and safe systems of work are developed in order to control hazards and risk control measures are in place and put into practice.

Assisters

Assisters are those that have the authority, independence and competence to advise, Directors, Management and Employees (or their representatives). They will normally be a member of the Health and Safety Team. They may also be technical or specialist employees who have achieved a certain level of health and safety competency within their specialised field.

Employees

Employee responsibilities described within this policy apply to all employees regardless of position.

Health and Safety Responsibilities	Who does this include:
Policy-makers (the people that make the Council Policies)	Members, Appointments and Staffing, the Chief Executive Officer, Executive Director – Organisation , Directors, Health and Safety Champions, Leadership Team
Planners (the people who need to plan how health and safety is effectively managed)	Assistant Directors, Heads of Service, Service Managers, Designers, and Trade Union Liaison Group, members of the Health and Safety Working Group
Implementers (those who have a day to day responsibility and can positively influence how a job is completed)	Managers, Supervisors, Premises Managers, Contract Supervising Officers
Assisters (those who are available to provide advice and guidance on how to comply with requirements)	Health and Safety Officers, Occupational Health Professionals, Specialist Technical Staff, Strategic Partners.
Employees (All employees, at any level have responsibilities)	Permanent, casual, temporary, work placement students, agency, contract and voluntary workers.

In addition to the above categories there are some employees who will have specific health and safety responsibilities allocated to them within specific Health and Safety policy and procedural arrangements. For instance, officers may be responsible for Construction, Design and Management arrangements, Fire Safety, Asbestos Management, First Aid etc.

2.4 Policy Makers

Policy Makers will devise, preserve, develop, approve, promote and maintain the Council's Health and Safety Management System by:

1. Ensuring that their decisions reflect the commitment of this policy and provide a positive culture towards health, safety and welfare issues.
2. Specifying a structure for health and safety planning, measuring performance, reviewing performance, auditing and monitoring the Health and Safety Systems;
3. Establishing structures and strategies to implement policy and integrating these into general business activity;
4. When making policy decisions or considering organisational change, making sure that any relevant health, safety and welfare issues are fully addressed;
5. Setting targets to improve health and safety performance as part of the business planning process;
6. Making sure that sufficient resources are available for the implementation of this Policy and its supporting arrangements;
7. Ensuring that responsibilities for safety, health and welfare are properly assigned, understood and implemented;
8. Agreeing plans for improvement and reviewing progress of the Health and Safety Policy, the development of the health and safety management system and the strategic approach to corporate health and safety strategy;
9. Ensuring that Members and Cabinet understand and consider the Council's obligations and the resource needed to the implement the Health and Safety Policy;
10. Ensuring that health and safety is an integral part of the procurement process, and that the Council makes legitimate and relevant health and safety requirements a significant factor in its procurement decisions;
11. Ensuring sufficient competent persons (Health and Safety Advisers) are appointed to assist in undertaking measures necessary to comply with statutory requirements and that such persons receive adequate cooperation and communication and are provided with the resources necessary to fulfil their functions.
12. Seeking advice from the Health and Safety Team and ensure that they are aware of any relevant health and safety matters as and when necessary;
13. Receiving reports from the Health and Safety Team as appropriate, and taking action as necessary;
14. Ensuring that the performance of the Council in the field of health and safety is audited and take whatever action may be required;

15. Completing an annual review of health and safety performance, with the outcomes implemented into Directorate Service Plans.

2.5 Planners

Planners will contribute to the Council's health and safety management system, by identifying, eliminating and controlling hazards and risks within their area of responsibility by:

1. Ensuring that responsibilities for safety, health and welfare are properly assigned, understood and implemented by employees;
2. Informing the Policy Makers of the resources (including financial) required to meet their Service's obligations for health and safety matters, including the provision of equipment, clothing and training;
3. Establishing management arrangements, risk control options and workplace precautions together with associated performance standards;
4. Supporting the Policy Makers in promoting the Health and Safety Management System;
5. Ensuring that health and safety is embedded within and fully addressed by their plans prepared as part of the Council's business planning process;
6. Setting targets to improve health and safety performance as part of the business planning process;
7. Seeking advice from the Health and Safety Team (and other specialists) to ensure effective planning and implementation of policy, and make the Health and Safety Manager aware of relevant health and safety matters as and when necessary;
8. Developing and monitoring the effective implementation of the Health and Safety Policy ensuring that it reflects the aims and objectives of the Policy;
9. Making sure that action plans, produced as a result of audit processes are drawn up and monitored;
10. Ensuring that where local policies/procedures are required, due regard is given to relevant corporate requirements and that the local documents reflect and adhere to the corporate framework;
11. When making policy decisions or looking at organisational change, making sure that any relevant health, safety and welfare issues are fully addressed;
12. Ensuring the production of comprehensive health and safety procedures and risk assessments specific to their service area are monitored, reviewed and updated on a regular basis and brought to the attention of employees under their control;
13. Carrying out regular health and safety inspections to demonstrate their commitment to health and safety;

14. Facilitating the setting up of Health and Safety Committees to promote the participation and involvement of Trade Unions/Employee Representatives and Management on all aspects of health and safety;
15. Making sure that sufficient service area support is provided for health and safety groups, set up to promote health and safety both locally and at corporate level;
16. Ensuring that a named Premises Manager is appointed for each Council workplace and building;
17. Keeping up to date with changes in health and safety legislation, standards and good practice;
18. Ensuring that the implications of any health and safety directives issued by Policy Makers are implemented within their area of control.

2.6 Implementers

Implementers contribute to the Council's health and safety management system by ensuring that safety precautions and systems of work are developed, adopted and implemented by:

1. Maintaining an understanding of the health and safety policy and procedures and an awareness of relevant current health and safety legislation, and operating within these requirements;
2. Demonstrating their commitment to the Health and Safety Policy and promoting a positive health and safety culture by:
 - a. setting a good example;
 - b. promoting good practice;
 - c. challenging poor perceptions or attitudes towards health and safety;
 - d. encouraging people to identify problems before they result in accidents/incidents;
 - e. ensuring regular two way communication with employees about health, safety and welfare matters.
3. Being accountable for the implementation of the Policy, management arrangements, safe systems of work, workplace precautions and performance standards within their area of control;
4. Ensuring that responsibilities for safety, health and welfare are properly assigned, communicated and understood by employees and are referenced within job descriptions within their area of control;
5. Making sure that sufficient information and resources are available;
6. Ensuring that individuals are held accountable for their health and safety responsibilities.
7. Ensuring that health and safety performance is considered in performance development reviews and that corrective action is taken in the case of deviation from health and safety standards/rules etc.

8. Ensuring that hazards are identified, control measures implemented and that Risk Assessments are up to date. Making sure that the review, monitoring and re-issue of Risk Assessments is carried out as and when necessary e.g. change in work practices, the introduction of new processes, machinery or people and so on, and at least annually;
9. Assessing work activities for risk, planning work activities in order to minimise the risk of accident or ill health to people. Highlighting hazards to employees and detailing/explaining preventive measures;
10. Providing employees and non-employees with the necessary information, instruction and training to remain safe;
11. Making sure that there is communication and participation at all levels in health and safety activities;
12. Supervising work activities adequately to ensure good health and safety standards are maintained;
13. Receiving reports from and responding as appropriate to health and safety reports received from Trade Union appointed Health and Safety Representatives/Employee Representatives;
14. Making sure that those employees with specific roles/responsibilities for health and safety, e.g. Premises Managers, are competent and receive training as necessary to enable them to perform effectively;
15. Where risks cannot be protected by other means, ensuring that personal protective clothing and equipment (PPE) appropriate to the risk is available and used;
16. Ensuring active monitoring of health and safety matters for example by undertaking health and safety inspections to ensure compliance with health, safety and welfare legislation;
17. Ensuring that targets set on health and safety are being achieved with feedback to the Planners regarding both successes and failures in relation to performance, and advise of any deficiencies in plans, arrangements, systems or precautions;
18. Supporting the Planners in achieving targets set by action plans produced as a result of the auditing process;
19. Consulting with employees and their representatives on health, safety and welfare matters and ensuring adequate facilities and information are available to them;
20. Motivating all employees in the promotion of safe and healthy working conditions and ensuring adequate information, instruction training and supervision is provided;
21. Ensuring timely reactive monitoring takes place such as investigating all hazard reports by employees, accidents, near misses, incidents of violence and occupational illness (via referral to Occupational Health where appropriate), in order to identify causes, to establish the facts and put in place measures to prevent a recurrence;
22. Supporting individuals who report hazards, accidents, ill health, problems with work related stress etc.

23. Making sure that records of accidents/occurrences and ill health, are kept and examined so that trends can be monitored and targets set;
24. Monitoring health and safety standards at local level, to identify patterns and trends and address issues of concern;
25. Seeking advice and liaising with the Health and Safety Team on health and safety matters and best practice where necessary;
26. Informing relevant persons of issues which are beyond their control, or where resources are insufficient to enable compliance with the Health and Safety Policy, and to ensure that extra resources are identified to maintain compliance;
27. Ensuring that appropriate people are designated as competent persons / coordinators, to co ordinate health and safety matters at a local level;
28. Ensuring that health and safety policies/procedures are implemented within their area.

Asset Management

The Assistant Director – Assets will lead and be responsible for all aspects of premise maintenance and to effectively ensure that premises meet regulatory requirements, reduce risks and provide a safe working and living environment. These responsibilities will also include the requirement to ensure that designated premise managers understand their role and that they receive the appropriate information, instruction and training to undertake the task. Corporate Management Team will identify appropriate staff to undertake the role of Responsible Person to manage and co-ordinate building safety issues including asbestos, Legionella, fire safety and statutory testing and these roles will be documented within individual policies and procedures for each subject area.

Asset Management will ensure that adequate contractors and systems are in place for all premises for the management of asbestos, control of legionella, completion of Fire Risk Assessments, servicing of fire alarms, emergency lighting, fire extinguishers and fire systems, servicing and through examinations of lifting equipment (non service specific i.e passenger lifts), compliance with gas safety and electricity regulations etc

Premise Managers

In addition to the Implementers' responsibilities above, officers appointed as Premises Managers have the following additional health and safety responsibilities:

1. To maintain an understanding of the Health and Safety Policy and procedure arrangements and the premises manager responsibilities within them, and an awareness of relevant premises related health and safety legislation, issues and procedures and operating within these requirements;
2. To oversee contractors working practices whilst on the premises, and ensure that hazard information has been exchanged and suitable risk control measures implemented;

3. Ensuring adequate security arrangements are maintained;
4. Ensuring the general cleanliness of the premises and that adequate welfare facilities are provided;
5. Arranging for regular inspection of the areas of the premises for which they are responsible to monitor that workplace health and safety standards are effective and that a safe means of access and egress is maintained;
6. Ensuring that plant and equipment is adequately maintained;
7. Maintaining records of plant and equipment maintenance, tests, fire evacuation drills, fire officer inspections and fire extinguisher maintenance;
8. Ensuring adequate first aid requirements for the premises are formally assessed and adequate provision is made;
9. Ensuring that all premises related hazards are identified, assessed and effective control measures implemented and monitored;
10. Undertaking thorough investigations of all premise related accidents/incidents. Ensure the availability of accident records at each premises;
11. Ensuring an adequate number of relevant health and safety notices and warning signs are prominently displayed and comply with the Health and Safety (Safety Signs and Signals) Regulations;
12. Ensuring that an up to date copy of the Health and Safety Law Poster and Employers' Liability Certificate is displayed in an accessible location;
13. Maintaining a health and safety file on the premises in relation to any construction work covered by *the Construction (Design and Maintenance) Regulations* and make this available to contractors upon requests;
14. Ensuring that adequate systems are in place for the management of asbestos and control of legionella and excessive water temperatures.

2.7 Assisters

Assisters are competent persons appointed to support the Council in meeting its statutory duties. Where appropriate, other specialists will be appointed from outside the Council to provide expert advice. The health and safety assisters will normally be the Health and Safety Team. It may also be technical or specialist employees who have achieved a certain level of health and safety competency within their specialised field.

The Health and Safety Team

They have the authority, independence and competence to advise Directors, Management and Employees (or their representatives), and will:

1. Promote a positive health and safety culture;
2. Plan for health and safety, and support the setting of realistic targets, deciding on priorities and establishing adequate systems and performance standards;
3. Monitor the implementation of the Health and Safety Policy, review performance, and report thereon to the Policy Makers, Planners and the Implementers;
4. Assist, monitor and formulate the Council's Health and Safety Policy through consultation with management, Trade Unions' appointed Health and Safety Representatives/Employee Representatives;
5. On behalf of the Planners, exercise executive powers, which may include the cessation of work activities, where there is an imminent risk of injury to people;
6. Report, as necessary, to appropriate groups, management teams and committees of the Council on Health and Safety matters;
7. Liaise with the Health and Safety Executive and other appropriate bodies as necessary;
8. Support managers in the assessment of risks, and in the identification of controls;
9. Undertake stress risk assessments, personal risk assessments and workstation assessments in a timely manner
10. Investigate accidents, violent incidents, near misses, work related ill health, health and safety complaints and liability claims;
11. Formulate, develop and gain acceptance to health and safety policy;
12. Provide advice and guidance on the practical risk control strategies the Council needs to implement to effectively manage health, safety and welfare hazards;
13. Manage and communicate health, safety and welfare information as appropriate
14. Assist in the Council to encourage its employees to lead more healthy lifestyles, by involvement in health education/promotion activities;
15. Interpret the law in the context of the Council, and provide pertinent and meaningful guidance, information and advice on health and safety issues;
16. Co-ordinate through design, delivery (where appropriate), implementation and monitoring appropriate Health and Safety training for Managers and Supervisors or other employees as necessary to ensure compliance with statutory legislation and this Policy.

The Occupational Health Unit

The council retains the services of an Occupational Health Team, which will:

1. Assist in the development of Health, Safety and Welfare Policies which have an Occupational Health element as required;
2. Provide Occupation Health advice to managers and employees;
3. Plan and assist the Council to develop occupational health strategies and targets;
4. Complete Health Surveillance as required by the Legislation;
5. Assist the Council in encouraging its employees to lead healthy lifestyles by involvement in health education/promotion activities;
6. Undertake the delivery of a range of occupational health activities.

2.8 Employees

2.1.1 Employees have an important role to play in achieving a healthy and safe work environment and maintaining and improving health and safety standards, so all employees will:

1. Take reasonable care for the health and safety of themselves and of other people who may be affected by what they do, or neglect to do, whilst at work;
2. Co-operate with their manager enable that tasks, duties or requirements to be performed or complied with;
3. Use machinery, equipment, plant, substances, transport in accordance with training and instruction provided;
4. Not intentionally or recklessly interfere with or misuse anything provided in the interests of Health, Safety and Welfare;
5. Draw the attention of their line manager, without delay, to any work situation which might present a serious and imminent danger to themselves/others;
6. Ensure that they familiarise themselves, and work in accordance, with guidance given in risk assessments, protective measures, health and safety policy arrangements, safe systems of work, and safety rules with regard to their working practices;
7. Conform to all instructions whether verbal or written, given to ensure personal safety and the safety of others;
8. Be appropriately dressed for the particular working conditions and activities;
9. Conduct themselves at all times in an orderly manner in the workplace and refrain from horseplay;

10. Report all accidents, near misses, incidents of violence, work related ill health, diseases and dangerous occurrences whether injury is sustained or not, to their line manager as soon as possible;
11. Enter the details of any injury or ill health sustained at work into the accident report book that is available at each workplace;
12. Co-operate fully in the reporting and investigation of any accident/near miss, dangerous occurrence and incident of violence, and the completion of any health surveillance activities;
13. Attend health and safety training courses to further their knowledge and understanding of health and safety as required;
14. Acquaint themselves with all processes, materials and substances used by them, using those substances in accordance with guidance/information provided e.g. COSHH assessments, hazard data sheets;
15. Make themselves aware of and participate in the fire evacuation procedure for their premises and become aware of the position of fire exits, alarms and equipment. Ensure that escape routes/exits are not blocked;
16. When operating in a work environment outside the direct control of their immediate supervisor, identify and report to the person controlling the site so as to be informed of site safety rules or special requirements e.g. protective clothing;
17. Not use equipment or materials which have been provided by their employer for purposes other than that for which they have been provided;
18. Promptly report unsafe conditions, methods of work, practices, tools, plant, premises or equipment to their line manager/trades union representative/ Health and Safety Representative/employee representative and/or the Health and Safety Team as appropriate;
19. Wear/use personal protective equipment as specified;
20. Maintain high standards of site tidiness/good housekeeping;
21. Seek advice on health and safety responsibilities and best practice where necessary.

All employees have a duty to co-operate at all times in the furtherance of the Policy objectives. The Council insists on safe working methods and employees disregarding safety rules and procedures drawn up for their and others' benefit will be liable to disciplinary action not excluding dismissal.

NOTE

During any periods of absence by employees, whether absence be because of leave, sickness or other reason, their duties and responsibilities for health and safety will be undertaken by the person conducting that person's general operational duties, thereby ensuring a continuation of health and safety focus.

2.9 Trade Union Safety Representatives

The Trade Union Safety Representatives must:

1. Represent employees in consultation with employers.
2. Co-operate effectively in promoting and developing health and safety measures;
3. Make representations to the employer in writing on general matters affecting the health, safety and welfare of other persons employed at the workplace.
4. Carry out safety inspections.
5. Represent their members in consultation with officers of the enforcement agencies.
6. Receive information from Inspectors.
7. Attend meetings of safety committees in their capacity as a safety representative.

3. Health and Safety Management

3.1 Arrangements for Applying the Policy

1. This Health and Safety Policy sets out a framework for the organisation and arrangements for health and safety across the Council. To support this policy and to effectively manage the health and safety risks and issues within the organisation, developed a series of topic-based health, safety and welfare policies and procedures have been developed and adopted. These policies provide the detailed arrangements for effective management of specific health, safety and welfare risks.
2. The policies and procedures are based on the legislative requirements and current industry best practice; they are formulated in accordance with the HSE management model HS (G) 65. The aim of the policies is to define the minimum knowledge needed to meet legal and corporate standards, and provide Planners, Implementers and Employees with effective guidance and support on how to manage the risks effectively and the specific responsibilities they need to comply with.
3. All corporate health and safety information will be available via the Council's Intranet site and / or Directorate Health and Safety Manuals.
4. Where appropriate safe-working procedures will be supported by health and safety training, instruction or information.

3.2 Procedures for Identifying and Dealing with Priorities

1. Managers will prioritise and deal with safety matters within their own area of responsibility and make arrangements to rectify matters relating to health and safety. Where the matter cannot be dealt with locally then the issue must be reported to their line manager immediately.
2. Leadership Team will prioritise health and safety issues of a general nature that potentially have a corporate effect and which involve policy decisions. It is recognised that Leadership Team may not be able to resolve some health and safety issues and as such will refer them to the elected Members (Cabinet or Employment Committee) for consideration and prioritising.

3.3 Accident & Incident Reporting

1. All accidents, health and safety related incidents, work related ill health, violent incidents or dangerous occurrences that occur at, or as a result of, work for the Council must be reported immediately following the Accident & Incident Reporting Procedure.
2. All incidents, accidents, ill health or dangerous occurrences will be reported verbally to their line manager and confirmed by the completion of an Accident & Incident Report Form and a

copy forwarded to the Health and Safety Advisor. The forms are available on the Council Intranet site or from the Health and Safety Advisor.

3.4 Consultation

1. The responsibility placed on employers to provide employment that is safe for employees, clients and visitors can only be achieved with the co-operation of everybody involved in the organisation.
2. In order to facilitate this agreed consultation arrangements have been established to act as a forum for the exchange of views between employers and employees. Where there are difficulties that cannot be resolved at local level between supervisors and employees the issues will be brought to the attention of senior managers who will look to resolve by a wider consideration.

3.5 Occupational Health

1. The Council offers an Occupational Health Service to all employees. The service includes an immunisation programme, health surveillance and specialist medical advice.
2. To make use of these services please contact your line manager in the first instance or a member of the HR Team.

3.6 Reference & Information

1. All information regarding health, safety and welfare procedures and the necessary accompanying information can be found in the Council's Health, Safety & Welfare Manual, on the Council's Health and Safety Intranet site. Other relevant information will also be displayed on the health and safety notice boards.
2. The Health and Safety Advisor will be responsible for distributing any updates to policies or procedures.

3.7 Risk Assessments

1. The Council will ensure that risk assessments are completed and reviewed for all hazards arising out of or in connection with the activities undertaken by the Council. Managers will be responsible for ensuring that risk assessments as required under Health and Safety Regulations have been undertaken, and that the hazards identified together with the preventative and precautionary control measures have been considered and recorded. The findings of the risk assessment will be passed to employees to safeguard their health, safety or welfare.

2. The Council will take account of the competence of relevant employees when conducting risk assessments. This will help in deciding what level of information, instruction, training and supervision is required.

3. Full details are contained within the Risk Assessment Procedure.

3.8 Training, Instruction & Supervision

1. Each employee who joins the Council must be fully trained in all aspects of Health & Safety as required by their job role and be able to demonstrate that they are fully competent to conduct the tasks required of them. Training will be undertaken upon induction, upon assignment of a new role and at regular intervals.

2. Each employee will need to be competent to undertake their role. The Council considers that Competence is a combination of training, skills, experience and knowledge that a person has and their ability to apply them to perform a task safely. Other factors, such as attitude and physical ability, can also affect someone's competence

3. The Council will take account of the competence of relevant employees when conducting risk assessments. This will help in deciding what level of information, instruction, training and supervision is required.

4. Health and safety training will consist of

- correct safe systems of working on all equipment they are expected to use and tasks they are expected to do,
- the correct use/storage of any personal protective equipment provided for them
- The risks posed by tasks and equipment they are expected to use and the safety measures in place to eliminate or reduce these risks
- The emergency and evacuation procedures
- Their responsibilities towards health and safety

5. The health and safety training needs and competence of individual employees will be assessed by their line manager. Where a specific need is identified by managers they will make a written request as part of the PDR process.

4 Health and Safety Arrangements

4.1 Asbestos

The Council has a duty to comply with the Control of Asbestos Regulations. These Regulations prohibit the importation, supply and use of all forms of asbestos. They continue the ban of blue, brown and white asbestos and the use of second hand products such as asbestos sheets and asbestos boards. The ban only applies to new use of asbestos. If existing asbestos containing materials are in good condition, they may be left in place, their condition being monitored and managed to ensure they are not disturbed.

The council has a “duty to manage” asbestos. The council as the duty holder will:

1. take reasonable steps to identify if there are materials containing asbestos in non-domestic premises, and if so, its amount, where it is and what condition it is in;
2. presume materials contain asbestos unless there is strong evidence that they do not;
3. make, and keep up-to-date, a record of the location and condition of the asbestos containing materials and materials which are presumed to contain asbestos; A record of this information will be located at each premises.
4. assess the risk of anyone being exposed to fibres from the materials identified;
5. prepare a plan that sets out in detail how the risks from these materials will be managed;
6. take the necessary steps to put the plan into action;
7. periodically review and monitor the plan and the arrangements to act on it so that the plan remains relevant and up-to-date; and
8. provide information on the location and condition of the materials to anyone who is liable to work on or disturb them.

4.2 Contractor Safety

1. The Council recognises the need to ensure the health and safety of people other than its own employees who may be affected by its work activities. All reasonable effort will be made to liaise with contractors to ensure that everyone is complying with the same standards of health and safety.

2. All Contractors and sub- contractors, whilst working for the council will abide with all relevant health and safety legislation and follow all relevant procedures/working practices.

3. Premises managers will, where appropriate, ensure that proper arrangements are made to control contractors entering their premises or onto their site by referencing the Council’s Contractor Safety Procedure.

4. If major work is to be undertaken then the Health and Safety Advisor must be notified in writing, prior to any procurement exercise being undertaken so that any technical health and safety information, which is required, can be included within the specification.
5. The Health and Safety Advisor must be advised when bids for major works are to be considered to ensure that any technical health and safety information is properly appraised.
6. Managers must ensure that any contractors' works being conducted within their work area are carried out in a safe manner. It is the aim of the Council to promote co-ordination and co-operation of health and safety arrangements between the two employers sharing the workplace.
7. All employees, and contractors, will ensure that every effort is made to protect service users/members of the public from the contractors' activities and further to ensure a courteous approach with the minimum possible disruption as far as is possible.
8. All employees, including contractors, will be advised of their legal duty to carry out their work operations in a safe manner, and to co-operate with the Council.
9. All contractors will be advised that under no circumstances will they be permitted to allow untrained, inexperienced or uncertified (where applicable) persons to work on the Council's sites unless they are properly supervised or undergoing appropriate training.
10. The Council's employees will be made aware of any work operations or processes by contractors which may affect their health, safety or welfare and be given adequate warnings, notification and instruction of any likely hazards which contractors operations may create.
11. Wherever practicable all operations carried out by contractors will be securely isolated by fencing or barriers and appropriate warning signs will be displayed.

4.3 Control of Substances Hazardous to Health (COSHH)

1. The Council is required to examine the workplace with a view to ensuring that neither the employer, employees nor any other person (whether at work or not) are exposed to any substance that may be hazardous to their health arising from any of the practices carried out or any substances used.
2. In order to do this an assessment of the risks to health must be made. Full details are contained in the Control of Substances Hazardous to Health Procedure.

4.4 Display Screen Equipment and Workstations

1. All reasonable steps will be taken by the Council to secure the health and safety of employees who work with display screen equipment (DSE). Full details are contained in the Council's Display Screen Equipment Procedure.

4.5 Drugs and Alcohol

1. Working under the influence of alcohol or drugs can seriously inhibit an employee's judgement and capabilities to undertake tasks in a safe manner. Employees are reminded to inform their manager if they are taking any prescribed or over-the-counter medication that could impair their judgement or ability to undertake tasks.
2. Employees are able to gain support from the Council's Human Resource Services Team who can refer employees to Occupational Health services for counselling and support, if required.

4.6 Electricity at Work

1. The Council will ensure that the electrical installation at all Council premises/establishments are maintained and tested at appropriate intervals to ensure safety and a certificate of satisfaction is provided by a competent electrician at least once every five years or following any alterations etc. to the electrical installation.
2. All contractors engaged by the Council to carry out any electrical or electrically related work will be duly recognised by the electrical industry and only permitted to carry out such work if they are competent to do so.
3. For any operation that requires a permit to work then the instructions as laid down by such a permit will be strictly adhered to and never deviated from unless the issuer of the permit agrees and gives written consent.
4. Records of any maintenance or inspection to the electrical installation or portable appliances will be kept at the premises/establishment to which the electrical maintenance relates.
5. Portable electrical appliances will only be used for the purpose for which they were intended and in the environment for which they were designed and constructed.
6. Any faults to electrical appliances must be reported to the management and the equipment taken out of use immediately. Appropriate steps should be taken to prevent the equipment from being used again until a competent electrician repairs it.

4.7 Event Safety

1. The event manager will ensure an appropriate event safety plan, risk assessment and event layout is documented and that the plans are put into practice for the duration of the event. The Health and Safety Adviser should be informed of all events and, as a minimum, a copy of the documents should be sent to the Health and Safety Advisor for review.

2. Where external bodies co-ordinate events but use Council land it is important that there are appropriate contractual arrangements in place and an event booking form and terms and conditions of hire are accepted by the hirer.

4.8 Fire Precautions

1. The Council will ensure that a full and proper fire precautions procedure is operated at all its premises and fire risk assessments have been completed. The Council will liaise with the County Fire and Rescue Service and seek their assistance in establishing adequate measures for fire precautions at all its premises.
2. Attention will be given to the prevention of the outbreak of the fire and training will be given to all employees at regular intervals. An evacuation procedure will be established for all premises and employees will be provided with the precautions operating at their place of work and in its operation.
3. Fire drills will be held annually at all premises. A record of the drill will be kept on site at all premises.
4. The Council will ensure that adequate fire fighting equipment is made available in all its premises as required by the fire certificate, or as recommended by the County Fire Officer. A competent contractor will adequately maintain all such equipment. All other fire precautions equipment (e.g. fire alarms, emergency lighting) will also be maintained at the required intervals.

4.9 First Aid Provisions

1. The Council shall assess its requirements to provide first aid at each premises to ensure it meets the requirements of the First Aid at Work Regulations 1981 and Health and Safety (Miscellaneous Amendments) Regulations 2002.
2. The outcome of the assessment shall ensure that the number of qualified first aid personnel, appointed people and first aid facilities are appropriate for each premises. Full details are contained in the First Aid Provisions Procedure.

4.10 Gas Installations and Appliances

1. The Council shall ensure that all gas installations and appliances are inspected at suitable periods by a Gas Safe registered engineer. Any faults identified shall be rectified or the equipment taken out of use until a suitable alternative is identified.

4.11 SMART Working

1. SMART working provides a form of flexible working that can, in certain circumstances bring benefits to employees and the Council. However the success of SMART working depends on whether all the elements (i.e. the job, the person, remote facilities and the home) are suited to this type of working practice.
2. The Council is committed to the ongoing management, development and welfare of its staff and the use of home working, where possible, is viewed as a contribution to that commitment.
3. Managers may find that from time to time it is mutually beneficial to allow employees to work for an agreed temporary period of time from home.
4. Working from home is usually a short-term arrangement, which must be authorised by a Manager. However, before authorising home working, Managers must, alongside any contractual arrangements, consider the health and safety arrangements for the employee and ensure that a home working assessment is completed.
5. Full guidance on home working is contained within the SMART working procedures.

4.12 Legionella

1. Legionellosis is an infection caused by the bacterium *Legionella pneumophila*. The disease has two distinct forms:
 - Legionnaires' disease, the more severe form of infection which includes pneumonia, and
 - Pontiac fever, a milder illness.

Legionnaires' disease acquired its name in 1976 when an outbreak of pneumonia occurred among people attending a convention of the American Legion in Philadelphia. Later, the bacterium causing the illness was named Legionella.

The Council will take steps to identify and assess of the risk of legionella infection, manage the risks by assigning management responsibilities, providing training, prevent or control the risk of exposure to legionella bacteria and maintain appropriate records.

4.13 Lifting Equipment

1. Lifting Equipment is identified in the Lifting Operations and Lifting Equipment Regulations 1998, as any equipment used for lowering loads including attachments used for anchoring, fixing or supporting it. These regulations include a wide range of equipment including cranes, forklift trucks, lifts, hoists, mobile elevating platforms and vehicle inspection platform hoists. The definition also includes lifting accessories such as chains, slings and eyebolts.
2. The Council has a duty to provide lifting equipment that is:
 - Strong and stable enough for the particular use and marked to indicate safe working loads
 - Positioned and installed to minimise any risks

- Used safely, for example work is planned, organised and performed by a competent person
- Subject to ongoing thorough examination (six monthly for passenger carrying lifting equipment and 12 monthly for non passenger carrying lifting equipment).
- Lifting equipment will be inspected and maintained by a competent person

4.14 Lone Working

1. The Council employs a number of people who work most or part of their day by themselves. It is the intention of the Council that where practically possible, lone workers should not be exposed to significantly more risks than employees who work together, that they are safe at all times and they can be traced back to their last visit in case of an accident or illness.

2. Lone Working and Personal Safety Awareness courses are essential for employees who may be “at risk” of violence and aggression. These courses are available by contacting the Health and Safety Team

4.15 Manual Handling

1. The Council will ensure that the Manual Handling Operations Regulations 1992 are complied with by ensuring that:

- Suitable and sufficient assessments are completed,
- Hazardous manual handling operations are avoided so far as is reasonably practicable,
- The risks of injury are reduced so far as is reasonably practicable, and
- All employees who carry out manual handling operations have received suitable training.

4.16 Needle Stick Injuries

1. The Council is committed to the highest possible standard of health, safety and welfare for all of its employees. It acknowledges the health hazards arising from needle stick injuries and shall take all reasonable steps to protect those employees that come into contact with needles and syringes.

2. When a hypodermic punctures the skin, cross contamination can occur between the user of the needle and the person pricked or cut with the needle. The Council will provide advice, guidance and support to any employee who suffers from a needle stick injury.

3. A risk assessment under the Management of Health and Safety at Work Regulations 1999 will be carried out to assess if there is a risk of needle stick injury. If there is found to be a risk then the Council will implement suitable control measures.

4.17 New & Expectant Mothers

1. Many women work while they are pregnant and may return to work while they are still breastfeeding. Some hazards in the workplace may affect the health and safety of new and expectant mothers and of her child. Therefore, working conditions normally considered acceptable may no longer be so during pregnancy and while breastfeeding. Full details are contained in the Council's New and Expectant Mother Procedure.

4.18 No Smoking / Passive Smoking

1. Since July 2006 it has been illegal to smoke in any enclosed public place, enclosed work place or vehicle used for work.
2. To promote better health and reduce passive smoking among employees the Council has had a no smoking policy since April 2002.

4.19 Noise

1. The Control of Noise at Work Regulations requires the Council to prevent or reduce risks to health and safety from exposure to noise at work. Employees have duties under the regulations too.

The Council will:

- Assess the risks to employees from noise at work
- Take action to reduce noise exposure that produces those risks
- Provide employees with hearing protection if noise cannot be reduced by using other methods
- Make sure the legal limit on noise is not exceeded
- Provide employees with instruction, training and supervision
- Carry out health surveillance where there is a risk to health

4.20 Personal Protective Equipment

1. Employees will be provided with any protective clothing and equipment identified as being necessary to protect their health and safety.

2. Managers/Supervisors will ensure that their employees make proper use of the protective equipment made available to them and provide replacement equipment when circumstances require. It is the responsibility of all employees to use protective equipment provided to them and to report to their line manager any loss or defect of such equipment.

Further details are contained in the Council's Personal Protective Equipment Procedures.

4.21 Petrol and Diesel Use & Storage

1. Some services store quantities of petrol and diesel fuel within the workplace. This could be for vehicles, plant and equipment such as mowers, strimmers and the like. These can be highly flammable substances and the Council must ensure that this is done safely and the correct equipment/storage facilities, precautions and controls are put in place.

Risk assessments for the storing, transporting and use of petrol/diesel must be completed.

4.22 Safety Signs

1. Safety signs are covered by the Health and Safety (Safety Signs and Signals) Regulations. To comply with these regulations the Council is required to provide specific safety signs whenever there is a risk that has not been avoided or controlled by other means, for example safe systems of work or engineering controls. Where a safety sign would not help reduce the risk or where the risk is not significant there is no need to provide a sign.

2. The regulations require road traffic signs to be used within workplaces to regulate road traffic.

3. The Council will maintain all safety signs that have been provided by the Council.

4. The Council will identify any signs that are unfamiliar to employees and tell them what to do when they see a safety sign.

4.23 Slips, Trips and Falls

1. Through its risk assessment process the risks of slips, trips and falls shall be assessed and action taken to reduce its risks to a reasonably practicable level.

4.24 Stress

1. The Council understands that from time to time employees can be affected by stress and not everyone deals with it in the same way. If it is intense and goes on for some time it can lead to mental and physical ill health and is fast approaching one of the top reasons for absenteeism in the workplace.

2. With good management the Council can help to reduce work related stress where it is already occurring, and can prevent it in the first place.

3. The HR team should be contacted for help with dealing with work related stress. This may include support from the Health and Safety Adviser who will undertake a stress risk assessment as appropriate.

4.25 Suspect Packages

1. The Council could receive a suspect package in many forms. Whilst a suspect package received from a terrorist could have serious consequences the likelihood of it occurring is low.
2. The Council does however occasionally receive packages that are “suspect” in their nature and require dealing with extreme care. Such packages may be sent by local or regional activists or from members of the community who use it as a way of protest. Unpleasant items such as animal waste, dead animals, bodily fluids or sharp objects could all cause risks if employees came into contact with them.
3. The Council will ensure that appropriate procedures, advice and guidance is available to ensure the threat of suspect packages is effectively managed

4.26 Tree Management

1. The Council owns a substantial number of trees and recognises it has a duty to ensure that its stock is maintained in a way that reflects good practice, minimises the risks of trees failing or growing in such a manner that threatens people’s health and property and which ensures that the tree stock is protected.
2. The Council’s tree management procedures are in place to manage its tree stock.

4.27 Vibration

1. The Council has a responsibility to protect our employees from the effect of Vibration. Full details are contained in the Council’s Vibration Management Procedure.

4.28 Violence at Work

1. The Council recognises that some employees are at potential risk of violent and / or threatening behaviour at work. This is particularly true of front line services dealing with members of the public, where the public may be in a heightened emotional state. Examples include; withdrawal/reduction of benefit payments, enforcement action, anti social behaviour around premises, difficulty in resolving homelessness issues etc.
2. The Council will not tolerate any act of violence and/or aggression towards its employees and will take action. Personal Safety Awareness courses are essential for employees who may be “at risk” of violence and aggression. These courses are available by contacting the Health and Safety Team.

3. The Customer Service Team co-ordinate and manage a central HAT database (Harassment, Assault and Threat) which can be used by selected staff to identify additional controls required when visiting or dealing with any particular known person or property.

4.29 Work Equipment

1. The Council has a legal responsibility under the Provision and Use of Work Equipment Regulations to ensure that the equipment we provide is fit for purpose and is regularly serviced and maintained.

2. All equipment needs to be checked regularly to ensure it is working correctly, does not pose a risk to people who may come into contact with it and that all safety related features are functioning.

3. The frequency and type of checks and maintenance will depend on the type of machinery, the frequency of use, the risks posed by the equipment and the environment it is used in. Maintenance on equipment may be planned preventative (e.g. servicing), internal upkeep or as a response to breakdown. Safety checks can range from a simple users visual check to an Insurance Report or Written Scheme of Examination.

4. The Council will ensure that all plant and equipment is maintained in a safe condition and without defects likely to cause a risk to the health and safety of any employee.

5. All work equipment which is subject to a statutory inspection, such as lifts, hoists, pressure systems, abrasive wheels etc. will be maintained on a planned basis and also inspected by the Council's Insurance Engineer to comply with the Provision and Use of Work Equipment Regulations 1998 and the Lifting Operations and Lifting Equipment Regulations 1998.

6. All plant and equipment will be maintained in accordance with the manufacturers' instructions to ensure its safe operation.

7. The Council will only purchase work equipment that meets the minimum required standards laid down by the European Union and which is marked with CE logo and/or the appropriate British Standard.

8. All employees will receive the necessary information, instruction, training and supervision to ensure the safe operation of work equipment in line with procedures and safe working practices.

4.30 Working at Heights

1. The Council has a duty to comply with the Working at Heights Regulations. In order to comply the Council will ensure:

- Where possible working at height will be eliminated
- All work at height is properly planned and organised and risk assessments completed
- All work at height takes account of weather conditions that could endanger anyone's safety

- Those involved in work at height are trained and competent
- The place where work at height is done is safe
- Equipment for work at height is appropriately inspected
- The risks from fragile surfaces are properly controlled
- The risks from falling objects are properly controlled

4.31 Working Time

1. The Council recognises that control of working hours is an essential part of promoting health at work, but it is accepted that there is also a need to balance this with the requirement to provide high quality services.

2. The Council will ensure that it remains compliant with the requirements of the Working Time Regulations.

4.32 Workplace and Welfare Facilities

1. The Council shall ensure that all workplaces meet the health, safety and welfare needs of all members of the workforce.

This will include providing

- Sufficiently ventilated enclosed work areas
- A reasonable comfortable temperature in work rooms without the need for special clothing
- Suitable lighting
- Adequate space for employees within workrooms
- Suitable floor and traffic routes free from uneven and slippery surfaces
- Sufficient number of sanitary conveniences and washing facilities
- A supply of drinking water
- Provision of accommodation for clothing to store workers own and work clothing
- Facilities for changing to/from work clothes
- Facilities for rest and to eat meals

4.33 Workplace Transport

1. Workplace Transport means any vehicle that is used on council business. This can include but not limited to forklift trucks, compact dumpers, mowers, quad bikes, tractors, mobile cranes, cars, vans and large goods vehicles when these are operating on or off the public highway.

2. The Council will through its risk assessment process consider the risks of workplace transport activities both on and off Council sites. Procedures will ensure that employees are competent to carry out workplace transport tasks.

4.34 Young People

1. Young people, especially those new to the workplace, will encounter unfamiliar risks from the jobs they will be doing and from the working environment.
2. Key risks for young people when starting work may arise because of their lack of experience or maturity and not having the confidence to ask for or knowing where they can get help

The Council will ensure that:

- A suitable risk assessment is completed
- They are suitable trained in the area they are in
- They will have a supervisor responsible for their training and available to answer any question or queries they may have

5. Measuring Performance

Directors will ensure that managers and supervisors of their respective services will carry out active monitoring of health and safety by regular inspection and checking to ensure that standards are being maintained and appropriate controls are working. Any items for remedial action should be reported to the Director. Health and Safety will be a standing item on team briefs.

Reactive monitoring will also take place if things go wrong, which will include investigating injuries, cases of illness, property damage and near misses. The Health and Safety Advisor will arrange this.

The Health and Safety Advisor will produce reports as required on health and safety issues including performance, actions from risk assessments and safety inspections and progress on a health and safety plan. This will be discussed at Leadership Team via the Corporate Champion.

The following key performance indicators will be reported. The results of these indicators will be provided to Policy Makers and Planners annually and published in the Annual Report

Employee Indicators

- Number of accidents to employees
- Number of accidents to employees that are to be reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR 1995)
- Accident rate per 1000 employees
- Days lost due to accidents at work to employees
- Number of violent or threatening incidents reported
- Number of training days delivered
- Number of health and safety audits completed

Public Indicators

- Number of accidents to the public

Additional indicators

- Number of liability claims received
- Costs of liability claims settled

6. Monitoring and Review

Monitoring of the Policy

This Policy will be monitored actively through health and safety auditing systems carried out by the Health and Safety Team, and also through the role and functions of Trades Union appointed Health and Safety Representatives / Employee Representatives. It will also be reactively monitored by the continued collation of accident, near miss, violent incident and ill health, statistics produced on a regular basis.

Review and Communication

This policy will continually be developed, reviewed and updated, as necessary (at least every three years). Any changes will be brought immediately to the attention of all managers and employees through communication channels, Health and Safety Committees, employee newsletters, employee notice boards, employee briefing meetings, training courses etc.

A copy of this Health and Safety Policy, which is a declaration of the Authority's commitment to health, safety and welfare, will be made available to all employees.

Supporting Information

The Council's Health and Safety Policy is supported by other policies and procedures covering many aspects of health and safety.

The Council may add to, delete or amend procedures from time to time in the interest of continuous improvement of the health and safety management system. Each new or amended Policy/Procedure will, following the relevant consultation process, be brought to the attention of all employees.

The Health and Safety Policy is also supported by various health and safety training courses. The Health and Safety Advisor should be contacted for a current list of courses.

7. Auditing

7.1 Auditing

One of the priorities of our business is to ensure that everyone who visits our premises, whether customers, suppliers, contractors or colleagues, do so in a safe environment. To meet both the Council's legal obligations and customer expectations, the following checking procedures are completed:

- Site Health & Safety Inspections – completed by the Service Area Management team
- Internal Health & Safety Audit – conducted by the Health & Safety Advisor
- Support Visits – conducted by the Health & Safety Advisor

In addition to these, but not managed by the Health & Safety Team, are Internal Financial and Technical audits, both of which contain a health and safety element.

The findings of these audits will be made available to Policy Makers and Planners and the action plans to address any issues will be implemented as soon as reasonable. Any findings which have the potential to result in serious injury will be reviewed by the Health and Safety Team along with remedial actions implemented to control the risk so far as is reasonably practicable.

The findings of any HSE audits will be shared with Policy Makers and Planners to ensure that a consistent approach is taken across the Council to resolve any issues identified. The findings and details of the actions being taken will be documented in the annual report.

Directorate Audits

The Health and Safety Team will complete an audit of each lower risk service at least once every 3 years. Services with greater health and safety risks (e.g. Grounds Maintenance) will be audited on at least an annual basis. The findings will be made available promptly to the relevant managers/premise managers, Director and trade union and employee representatives

In addition to the internal audits, some of the Council's workplaces may also receive an external audit by an approving body or enforcing Authority such as HSE, Fire and Rescue Service, Environment Agency, OFSTED etc, which incorporates a review of the workplaces health, safety and welfare management arrangements. The findings of these audits will be considered and acted upon accordingly.

Thursday, 21 November 2024

Report of the Portfolio Holder for Cooperative Council, Community Partnerships and ASB

Community Recovery Funding

Exempt Information

None

Purpose

To consider the outline spend plan of the Government's Community Recovery Funding

Recommendations

It is recommended that Cabinet:

1. Endorse the funding of the Belong Network, procured to undertake the Honest Conversations project as part of the Community Recovery Fund
2. Endorse the procurement of the Spacehive Social Crowd Funding platform for Community Cohesion projects as part of the Community Recovery project for the adoption of a community crowdfunding programme to distribute funds to locally led projects seeking financial support, initially with funding for community cohesion projects.
3. Endorse the outline emerging draft spend plan for the Community Recovery Fund
4. Delegate authority to the Portfolio Holder for Cooperative Council, Community Partnerships and ASB , the Executive Director Communities and Section 151 officer to authorise confirmed and committed expenditure by 31 March 2025, in accordance with Government Criteria and confirmation by Ministry of Housing, Communities and Local Government (MHCLG).

Executive Summary

Following the civil unrest in Tamworth on 4th August, HM Government have approved the allocation of £600K Community Recovery Funding to spend or commit by 31st March 2025. Subject to approval by MHCLG, funds will be retained where commitments have been made in accordance with council financial guidance and Reserves Policy.

Guidance can be found here: [Community Recovery Fund: Guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/community-recovery-fund-guidance)

The project is assigned as £510K revenue spend and £90K capital.

The criteria for the spend is as follows:

- i. Immediate action to safeguard life or property
- ii. To prevent suffering or severe inconvenience

- iii. To reduce the risk of further disorder in the future
- iv. To rebuild social trust and promote cohesion between communities

The AD Partnerships, in consultation with ELT, CMT and wider partners have been working on plans for immediate spend and on an outline draft plan.

Reducing the Risk of Further Disorder in the Future

The Council have procured the services of the Belong Network to undertake an Honest Conversations project until March 2025 and provide a report on priority issues, strength and weaknesses to develop appropriate action plans and strategies for community cohesion and engagement .

The key outcomes of the project will be to provide a report and action plan for the council and our partners to :

- Promote social integration and inclusion by fostering an environment where individuals from diverse backgrounds feel included, can build mutual respect, can interact, share experiences, and integrate into the community
- Strengthen community engagement and participation by encouraging active involvement from all community members in local governance and community building initiatives.
- Address inequalities and promote fairness by identifying systemic inequalities and barriers that prevent certain groups from fully participating in community life.
- Foster intercultural and intergenerational dialogue by promoting an understanding and collaboration between different cultural, ethnic, and age groups within the borough.
- Build resilient and supportive communities by enhancing the community's ability to respond collectively to challenges, such as economic downturns, public health crises, misinformation, social conflict and permissive environments for violent extremism and radicalisation.
- Combat discrimination by creating a safe environment where all forms of discrimination, racism, and hate crimes are actively challenged and reduced.

This work has commenced and meetings will be arranged with relevant stakeholders and seek to engage harder to reach communities.

There is a provisional spend within the funding for any ongoing training and support from the Belong Network programme as part of the project, subject to appropriate procurement, governance and budgetary arrangements.

Rebuilding Social Trust and Promote Cohesion Between Communities

To provide a platform for more community involvement in community projects, including businesses and the wider public, it is proposed that Spacehive are procured to provide a social crowd funding platform. This will support the community cohesion work and our emerging Community Development/Engagement Strategy including options for other funding streams

Crowdfunding gives local people the opportunity to develop and fund their own projects while gaining the active support of the community. This builds capacity within groups and helps them to become more financially self-sustaining.

Typically, a project will reach its crowdfunding target within 90 days on Spacehive, allowing the community to get on with delivering the project. Projects that are crowdfunded with the support of the community have a richness and joyfulness to them that isn't engendered through other funding methods. This video highlights some of the human stories behind

projects funded through Spacehive’s partnership with the Mayor of London.
<https://www.youtube.com/watch?v=4akh4jdyGhU>

Information on Spacehive is attached as Appendix 1.

The work Spacehive does in reaching into communities to find projects for crowdfunding identifies a different cohort of project creator, with 65% of users reporting never having undertaken civic engagement or online fundraising before running a crowdfunding campaign on Spacehive, thereby diversifying the reach and demographic of participants.

Projects brought forward for crowdfunding by Spacehive will deliver on the council’s pre-defined strategic objectives.

Unique to the Spacehive crowdfunding platform, the budgets, permissions and governance of all projects are checked before crowdfunding can commence to ensure the viability of projects and that there are no issues that would cause TBC to have to intervene later down the line.

Initial consultation with voluntary partners, ELT and Portfolio lead has given positive response to this proposal and gives the Council a wider platform to develop other funding streams and projects on a variety of projects. (Subject to wider governance)

A small officer and partners stakeholder group has produced a draft outline of proposals for expenditure (attached as Appendix 2)

This outline is for discussion only and does not have any specific costs outlined. It is proposed that delegation is given to the Portfolio Holder for Cooperative Council, Community Partnerships and ASB , the Executive Director Communities and Section 151 officer to oversee and approve project expenditure, The AD Partnerships will complete monitoring forms as required and report on this will be included in the presentation of the report as a result of the Honest Conversations project.

All projects must have a committed cost by 31st March 2025 to run beyond that date and is subject to MHCLG approval for this.

Options Considered

Action	Outcome
Do nothing	The council will not benefit from the funding provided and will need to return it to the Government No action to understand the community cohesion issues presented as result of the riots will not benefit the people of Tamworth
Ensure spend plan and community cohesion work is started	Recommended options outlined in report
Do something else	Due to the timescales presented and the need to act quickly no further options were considered

Resource Implications

The spend plan for the Recovery Fund will be managed in partnership by the AD Partnerships and officers. Resource will be monitored over the life of the project.

Within the funding scope, there is consideration for some temporary contracts to support communications and community engagement.

The cost of the Belong Network Honest Conversations project work is was commissioned following a competitive procurement exercise in October 2024 (QQ22-012). The cost of this commission is £33,500.

The fee for Spacehive to deliver the community crowdfunding programme is £30,000 per annum (funded for the first 3 years through the Community Recovery Fund subject to approval from the MHCLG for the duration of the contract). A 7.5% success fee is charged by Spacehive to every crowdfunding campaign that hits its target to ensure that all projects are verified and for maintenance of the crowdfunding platform. Transaction fees of no more than 2.4% are charged by Stripe (See Appendix 3) to successful crowdfunding campaigns to facilitate online payments to project creators. All fees are visible to project creators at the outset of their funding campaign.

This is a direct award via the G-Cloud Government commissioning framework.

Legal/Risk Implications Background

The following costs are excluded as eligible expenditure for the Recovery Fund:

Costs for which a claim can be made under personal, organisational or business insurance.

- Expenditure for which a claim can be made under the Riot Compensation Act 2016. Anyone who suffers property loss or damage as the result of a riot may be eligible for compensation under the Riot Compensation Act. Any such damage or loss should be reported to the police as a crime. Those who hold insurance for their property should then contact their insurer in the first instance. Guidance on how to claim is available on the Home Office website.
- Any protective security measures, including guarding services, provided as part of the Home Office rapid response offer or existing Protective Security for Mosques Scheme.
- Expenditure covered by the Police Special Grant.

Beyond that, the overriding rule is that expenditure, which is not clearly incurred on, or in connection with, immediate action to safeguard life or property, prevent suffering or severe inconvenience or bringing communities back together as a result of the public disorder in their areas between July and August 2024 will not be eligible for grant. In particular, expenditure which an authority would normally expect to incur (such as normal salary or wages) will not be eligible.

Expenditure and any fund retention for committed projects beyond 31st March 2025 will be signed off the by Section 151 officer (subject to MHCLG confirmation)

The council is responsible for the dispersal of funding within their local area, for management of such funds in line with relevant standards and legislation and for maintaining an appropriate audit trail for expenditure.

Belong Network Risk Assessment:

RISK	Mitigation
Lack of community engagement in focus groups	Belong will spend time relationship building with community leaders to ensure trust in and knowledge in the Honest Conversations project
Discussion topics leading to tensions in focus groups established.	Ground rules for all participants

Participants dropping out during discussions making focus groups unviable	Belong will recruit over the minimum number of participants needed to ensure group viability
Lack of diversity in focus group participation	Belong will use intermediary organisations to ensure a broad range of participants are reached
Project runs over budget and time	Allocation of an experienced project manager who will ensure the project is included in regular updates to the project board. Timescales and budgets will be monitored regularly. Buffer weeks are included in the project timeline.
Lack of engagement and skills in the community cohesion delivery group	The group will be targeted for the skills it can bring to cohesion in Tamworth and additional training will be provided. The meetings will be organised to be as accessible as possible and at times suitable for all.

Spacehive Risk assessment:

Failure of project	Each project creator is liable for the delivery of their project and all the costs associated with it. Spacehive verification processes check that they have all the right things in place to be able to proceed and we have a legal agreement with the creator to ensure the project is delivered, as specified, once the funds have been transferred.
Inability to raise funds	The platform gives a set time to raise required project funding. If a project fails during funding, then we can simply remove it from the platform and any pledges already made will be returned. Creators do not receive any funds until the funding target is reached. Attempts will be made to see if there are any solutions to keep it live (it may just be a that part of it can't be delivered in which case we will ask everyone who pledged whether they accept the new changes and wish to leave their pledge in place – those they don't will have it returned).
Project does not go ahead	Post funding, If a successfully funded project does not get delivered then Spacehive are able to seek the return of funds to those that pledged. The Council is also able to set up our own conditions on any pledge you make through the digital grant agreement facility within the platform giving a further layer of governance
Staff Resources	A Spacehive programme is a partnership between them and the Council. They provide the strategic resources necessary to organise and run the programme, the events, however partnership team will need to be fully engaged with input from CMT (or senior sponsor). After each of the two funding rounds we will hold a review meeting . The most successful programmes are ones where members / leaders / CMT are bought into it. Quite often soundbites, video, tweets etc are captured to amplify and promote the programme and the leader or CEO will be invited to speak at the launch event
Public perception	Risk of the public suggesting that they are funding projects that the Council should invest in. This needs to be managed – the projects are community led and focussed. Opportunity to join with partners in other areas (health, County etc) to enhance what the Council can do. Opportunities for bigger projects that may not otherwise have been possible previously

Workload	Project will become part of the Community Recovery Fund project but is an option to continue on review of other funding streams and external partners
BENEFITS	<p>Wider investment in community projects that matter to our communities – can be small but impactful</p> <ul style="list-style-type: none"> · One Council approach to grants and funding opportunities, regardless of where funding has been sourced · Encouragement for communities to build capacity · Wider targeted involvement for Councillors to support projects · Opportunity to support hyper local small projects or larger more impactful projects · Support for businesses as part of their corporate social responsibility

Equalities Implications

Community Impact Assessment attached at Appendix 4.

Environment and Sustainability Implications (including climate change)

There are no direct implications as a result of this report

Background Information

All information contained within this report

Report Author

Joanne Sands – Assistant Director Partnerships

Appendices

Appendix 1 – Spacehive

Appendix 2 – Outline spend plans

Appendix 3 – Spacehive Stripe Platform

Appendix 4 – Community Impact Assessment

spacehive

the home of community fundraising

Service Definition



About Spacehive



Spacehive is a community fundraising platform for locally-led projects. We help government and public sector buyers to connect with local communities, amplify available funding, and achieve social returns on investment.

We believe in the power of local people and their ideas to transform communities and our mission is to make it easy for people to improve their local area.

When we invest in local people and support their ideas, we reinvigorate local places, making them happier, prouder and more prosperous. This work has never been more important.



The impact of Spacehive community crowdfunding

Page 295

£30 million+
raised to date from
over 2,000 local ideas

3:1
return on partner investment
in crowdfunded projects

98%
support desk
approval rating

94%
of projects hit
fundraising target
when a partner pledges

65%
of users are fundraising for
the first time



Meet the Spacehive project creators



Page 296

Spacehive users, known as project creators, are local people that recognise a need, challenge or opportunity in their community and have an idea to address it.

Users crowdfund those ideas on Spacehive and rally the support of their community and the network of Spacehive partners that share a commitment to make local places stronger.

[This video](#) features project creators from the Spacehive programme in London discussing the impact that their idea has had on them and their community.



How a Spacehive programme works



1. PLAN FUND STRATEGY

Design a bespoke programme



2. ANNOUNCE FUND

Launch fund and project call to action



3. SELECT PROJECTS

Choose projects best reflecting your strategic objectives



4. AMPLIFY SUCCESS

Create real life success stories by supporting local projects



5. CELEBRATE IMPACT

Showcase the difference and value you make

Spacehive features



- Platform for local communities to run crowdfunding campaigns
- Distribution of grant funding to locally-led projects
- Built-in project verification, ensuring governance
- Dedicated project resources and 1-2-1 support to assist users
- Dedicated account management for expert strategic guidance
- Stakeholder engagement to attract supplementary funding
- Activation strategy to engage communities and source projects
- Marketing toolkit and specialist support for comms teams
- Branded fundraising and engagement programme page
- Impact reporting data from buyer-funded projects



Your branded programme page

The 'one-stop-shop' where users can learn about your funding offer, get inspired and begin their crowdfunding journey.

Page 299

- Showcase successful crowdfunding campaigns and delivered impact
- Display up to four buyer funding streams with different objectives and criteria
- Advertise Spacehive crowdfunding events that users can attend for help and inspiration
- Host a range of buyer content and Spacehive resources

spacehive

About us Explore Partner with us

Start a project

NORTH OF TYNE COMBINED AUTHORITY

Crowdfund North of Tyne

Summary The programme Funds Projects Follow programme

Crowdfund North of Tyne gives local people the opportunity to create and fund projects which celebrate and improve our local areas. During the coronavirus crisis we have seen the amazing resilience, innovation and compassion of people within our communities. As we emerge from the crisis, we hope that this programme will become a springboard for a locally led recovery.

#CrowdfundNorthofTyne

Businesses and individuals eligible

For community-led projects

Up to £20k available

View all Trending Nearly There Funded Filter All Location All

Solace Surf Club
North Tyneside District
Solace Surf Club will provide a space for teenage girls from the refugee community in the North of Tyne area to explore, play with and enjoy the therapeutic benefits of engagement with the North Sea.

105%
£18,514 pledged £17,487 goal 26 Days Left

Growing Together
Newcastle upon Tyne
To run our Growing Together project for a year. The project provides conservation volunteering and training for diverse adults. Volunteers maintain our community garden for wildlife and their well-being.

19%
£6,184 pledged £31,761 goal 48 Days Left

Bowling Green Upgrade in Westerhope, NE5
Newcastle upon Tyne
Bringing our bowling green up to modern standards by installing low maintenance bespoke reinforced concrete ditch sections replacing the existing grassed areas.

84%
£23,630 pledged £27,919 goal 53 Days Left

ELEMENTS: Ouseburn Street Art Festival
Newcastle upon Tyne
Bringing together creativity & community in the heart of the Ouseburn. Engaging surrounding communities, creating opportunities for local artists to showcase their work.

73%
£26,718 pledged £36,456 goal 19 Days Left

Distribution of buyer grant funding

Use Spacehive funding tools to assess project eligibility for funding and distribute grants safely and securely.

- Set specific criteria for your funding and ask questions of users based on your objectives
- Spacehive uses Stripe to manage all financial payments related to crowdfunding
- Spacehive can hold funds on behalf of buyers so that funds can be pledged in a timely manner
- Your pledges will be displayed alongside the community to reinforce the collaborative nature of funding
- Buyers retain full autonomy on which projects will receive funding
- 94% of Spacehive projects succeed when a partner pledges, an industry-leading success rate

Page 300

About us ▾ Explore ▾ Partner with us **spacehive** 🔍 [Start a project](#)

Project Overview
Create page
Funds
Available funds
Your funds
Project settings

View dashboard
Edit your profile
Account settings
View projects

[? Help](#)

[Back to available funds](#)

idverde Community Investment Fund

Complete this pitch document to apply to this fund.

Eligibility **Expected Impact** Additional information Personal pitch

When creating your project page, you selected these categories as areas that could be positively impacted by your project:

[Boost the economy](#) [Parks and gardens](#)

Please use the form below to tell us more about how you think these areas will be impacted. Providing more context for your project will help us in our decision to contribute to your project.

Boost the economy

In what way will your project boost the economy?

Select all the areas that are relevant to your project. Select at least one of the following:

- By starting a new business
- Generating extra revenue
- By securing a loan
- By securing an equity investment
- By starting a charity
- By starting a social enterprise
- By starting a community group
- By bringing vacant units back into use

Built-in project verification

Distribute funding with confidence to projects using our project verification process, which was co-designed with local authorities to ensure good governance.

Page 301

- Users complete a simple form to create their crowdfunding page
- Every project on Spacehive is checked by our in-house verification team to ensure that projects are viable and deliverable
- The verification team advises on project budgeting, permissions and governance so that users are confident of hitting their crowdfunding targets

The screenshot shows the 'Your Idea' form on the Spacehive website. The form is titled 'Your Idea' and includes a progress bar at the top right. The form fields are:

- Project title ***: A text input field with a character count of 40. A link 'How to write a great title' is provided.
- Your unique web address ***: A text input field with a character count of 40. A link 'Choosing a good link' is provided. Below the field, it says 'This is the link to your project that you can share with your backers.' The current value is 'spacehive.com/'.
- Project tags ***: A section titled 'Select up to three:' with six colored buttons: 'Sport and Play' (teal), 'Parks and gardens' (pink), 'Arts and culture' (orange), 'Buildings' (yellow), 'Food and farming' (teal), and 'Streets and infrastructure' (orange).

Navigation elements include 'Start a project' (green button), 'Preview page' (grey button), and a sidebar menu with options like 'Project Overview', 'Create page', 'Your Idea', 'Location', 'Video and images', 'Team', 'Delivery', 'Permissions', 'Costings', 'Funds', 'Project settings', 'Edit your profile', 'Account settings', and 'View projects'.

Crowdfunding journey

Spacehive provides an intuitive platform for users to run compelling crowdfunding campaigns.

Page 302

- Users can present their projects beautifully on the platform
- Users communicate with their backers via the updates on their crowdfunding pages
- Backers can pledge as little as £2 towards campaigns and can also offer in-kind donations of time, skills and items to help with the delivery of projects
- Users from eligible organisations can collect GiftAid on all pledges made by UK taxpayers

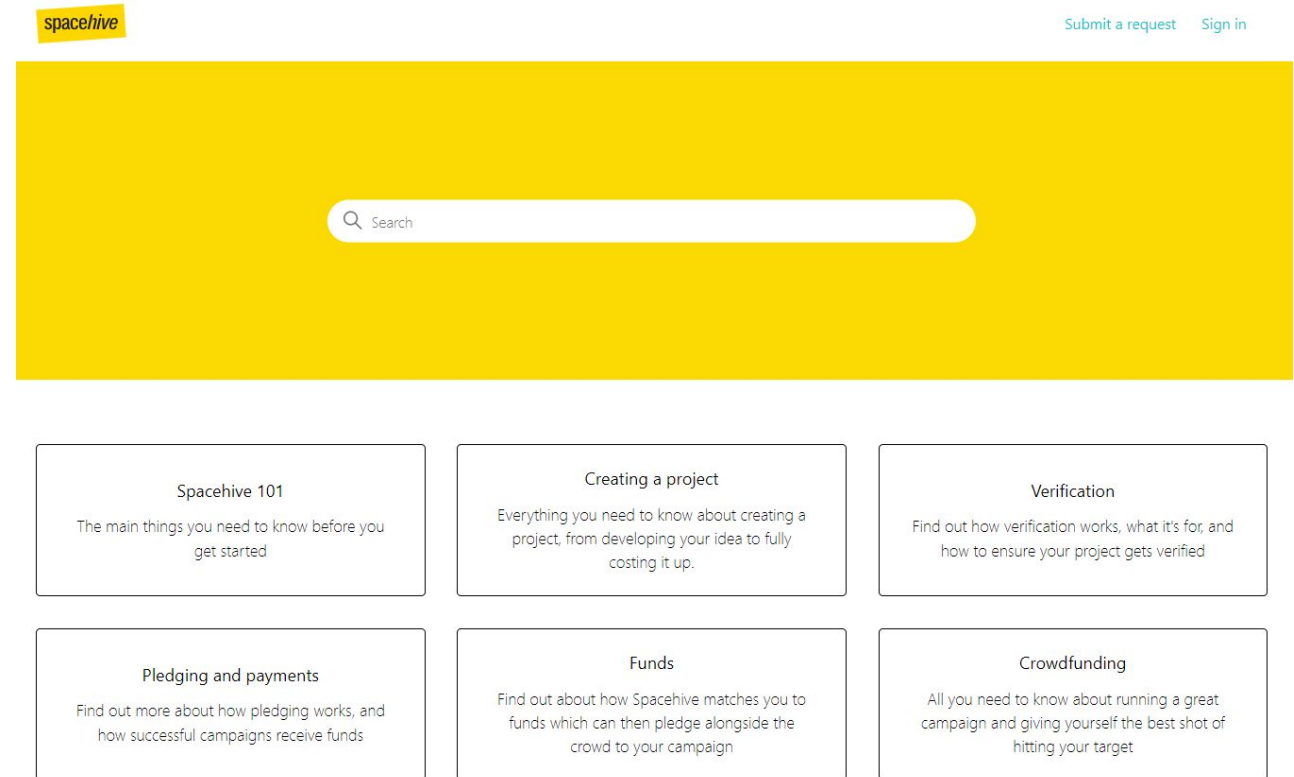
The screenshot shows the Spacehive website interface. At the top, there are navigation links for 'Explore', 'Partner with us', and the 'spacehive' logo. A 'Start a project' button is visible in the top right corner. The main content area features a video player for the 'Wild About Wildlife: Restoration Project' by Surrey Docks Farm, located in Southwark. The video shows two people in a lush garden setting. To the right of the video, a blue 'Funded' badge is displayed, along with the statistics: 130 backers and £33,573 raised. Below the video, there are social sharing options, a 'Like' button (9 likes), and a 'Follow' button (110 followers). The project description reads: 'Help fund the renovation of Surrey Docks Farm's wildlife garden to provide a haven for wildlife and a refuge for people to connect with the natural environment'. At the bottom right, the profile for 'Surrey Docks Farm' is shown, including an 'About me' link and a Twitter handle '@surreydocksfarm'.

Dedicated project support

Users are supported through crowdfunding every step of the way to ensure that projects have the best chance of success.

Page 303

- Users can reach the Spacehive 'Project Success' team via email, phone calls and live chat
- Users have access to the Spacehive Help Centre, which includes a library of crowdfunding articles, guides and step-by-step resources
- Spacehive connects users with our network of over 2,000 successful projects for peer-to-peer learning and insight



Dedicated account management

You will be assigned a dedicated Partnerships lead to better understand your needs and ensure that Spacehive delivers against strategic objectives to achieve transformational change.

Page 304

- Spacehive has experience of working with over 40 local government and public sector organisations, often working across different internal teams
- Strategic guidance on the delivery of the programme
- Regular meetings with buyers to monitor the delivery of activation programmes
- Integrated comms support with additional toolkits for PR, Social Media and marketing campaigns
- Stakeholder engagement to create local funder ecosystems that amplify buyer budgets by up to 4x

The screenshot displays the 'Available Funds' section of the Spacehive platform. The page features a navigation menu on the left with options like 'Project Overview', 'Create page', 'Funds', 'Available funds', 'Your funds', and 'Project settings'. The main content area shows a list of funds with columns for Name, Deadline, and Pitch status. Two funds are listed: Lancashire Culture & Sport Fund and idverde Community Investment Fund. The Lancashire fund has a 'Pitch for this fund' button, and the idverde fund has a 'Continue pitching' button. The page also includes a top navigation bar with the Spacehive logo and a 'Start a project' button.

Name	Deadline	Pitch status
Lancashire Culture & Sport Fund	N/A	Not started
idverde Community Investment Fund	N/A	Incomplete

Activation programme

Spacehive will deliver an activation programme to reach into communities to source projects that align with buyer objectives.

- An in-person launch event for the community will announce the crowdfunding programme
- Tailored marketing campaigns will be delivered to engage the community and attract prospective project creators
- Crowdfunding events will educate and inspire the community about the funding opportunity and provide capacity building for users
- Spacehive activation programmes reach projects that buyers won't have heard of - 65% of project creators have never done online fundraising before

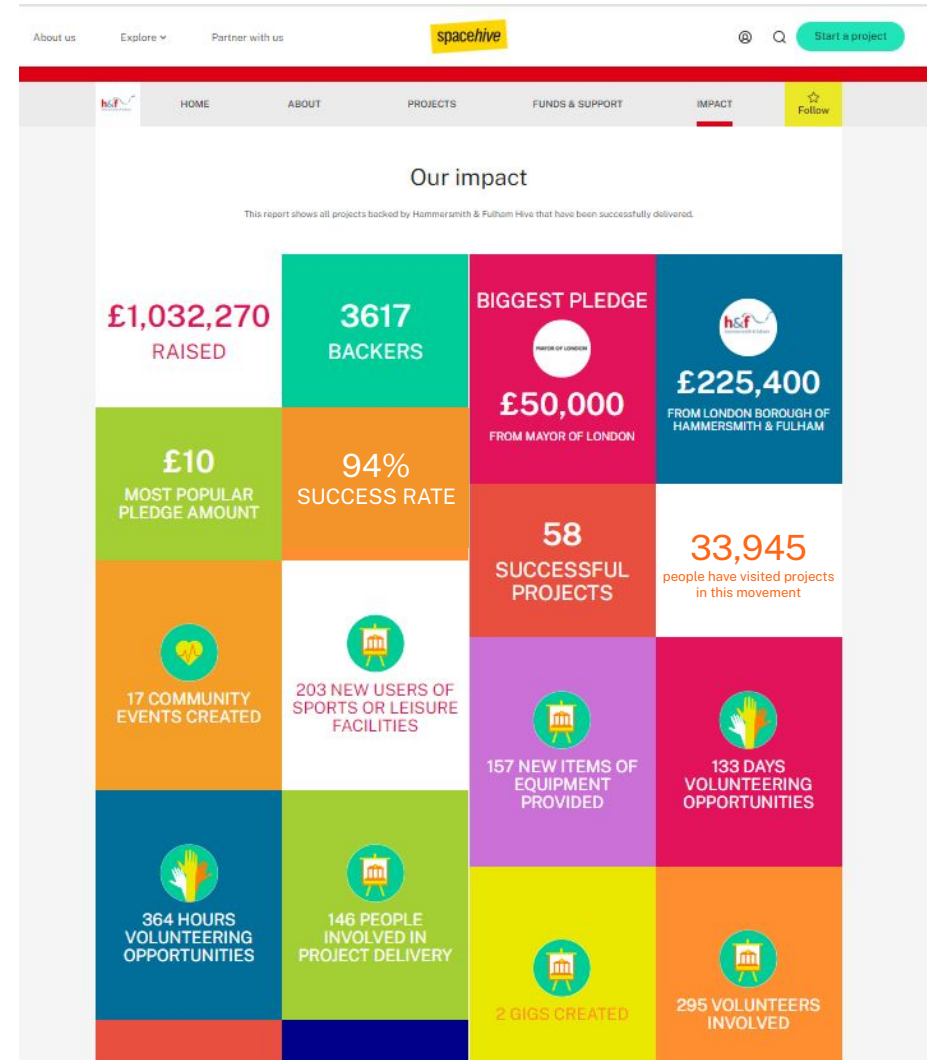


Impact reporting tool

Our customised impact reporting tools measure the results of your funding investment, how it has achieved your strategic objectives and how it has improved local communities.

Page 306

- Request and customise metrics and develop bespoke monitoring questions
- Receive the data, testimonials and assets needed for marketing, reporting and compliance purposes
- User generated impact reports available that are published on project crowdfunding pages
- Generate an impact report that collates the data from all funded projects



Delivering social impact

Spacehive community crowdfunding partnerships deliver social value across the UK and Ireland as defined in the Government's Social Value Model.

- **Fighting Climate Change:** Spacehive projects have positive environmental impact and sustainability at their heart
- **Covid-19 Recovery:** Spacehive projects help communities continue to recover from the effects of the Covid-19 pandemic
- **Tackling Economic Inequality:** Spacehive supports a wide variety of project creators from diverse backgrounds to run crowdfunding campaigns
- **Equal Opportunity:** Spacehive programmes build the capacity of local people to deliver community projects
- **Wellbeing:** Spacehive projects invigorate local places to make them and the communities that live there happier, prouder and more prosperous

Please refer to the Spacehive Digital Marketplace listing for more information about our commitment to delivering social value.



Spacehive benefits



- 85% crowdfunding success; over 2,000 projects funded; raising £30 million+
- Delivers considerable social impact across the UK and Ireland
- Empowers communities to fund and take ownership of ideas
- Provides a secure means for you to easily fund projects
- Enables buyers to distribute funding to verified projects with confidence
- Amplifies the value of buyer grants by up to 4x
- Increases participation in community engagement initiatives
- Projects can be tailored to match your strategic objectives
- Adds new resources, skills and capacity to local communities
- Ensures funding outputs are measured for buyer reporting and compliance



spacehive

Service specification at a glance

Product suite



Bespoke branded fundraising and engagement programme page

Attracts and informs users and showcases crowdfunding campaigns

Funding tool - up to four buyer funding streams

Enables buyers to make informed decisions on grant funding and pledge securely from a designated client account via Stripe

Impact reporting tool

Collates and presents impact data from your programme

Account Management

Strategy planning and development of programme

Development of assessment criteria and process

Software training

Software induction/recaps as required

Stakeholder engagement

Development of stakeholder engagement strategy

Ongoing support

Regular account management calls and updates to ensure fast delivery of programme

Activation programme

Events schedule

In-person launch event to kick off the programme

4x crowdfunding events to educate and inspire local people to begin crowdfunding

Marketing programme

2x tailored marketing campaigns in each contract year encompassing email, social media and direct outreach

Development of supporting materials and template PR resources

Crowdfunding, support and capacity building



Intuitive platform

Simple crowdfunding registration form for users

GiftAid process for pledges to Spacehive crowdfunding campaigns

Built-in project verification

Verification check to advise users on project budgeting, permissions & governance

Project support

Support and capacity building for users, including 1-2-1 support, the Spacehive Help Centre and our project alumni network

Testimonials



Martin Nicholls
CEO, Swansea Council

"Spacehive captures the imagination around community engagement that we had been missing.... It's not just about the financial benefits, it's the wider community action that has made the real difference for us."



Lydia Jackson
Corporate Lead, Kent County Council

"Spacehive has enabled us to collaborate with a range of public sector partners to support locally-led projects across the county. We empower local people to own their ideas which has improved the lives of people living in our local communities and made them more resilient."



Sadiq Khan
Mayor of London

"Our partnership puts communities in the driving seat of change and gives many more people, groups and companies the opportunity to shape their city."

spacehive

the home of community fundraising

spacehive.com

E: together@spacehive.com



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Outline Thoughts – Community Recovery Fund/Asylum Dispersal

Project	Responsible officer	Timeline	Comments
REVENUE SPEND			
Consultation & Engagement			
Community Cohesion 'Honest Conversations' - first stage of understanding communities	JS	By end of March 2025	ELT 6/11/24 Requested documents to be forwarded and contacts LG – 13/11/24
Community Engagement & Comms officer	JS	1 year fixed contract to work with comms team	Draft job spec to be in place by December 2025
Spacehive – Crowd Funding Platform – Minimum 3 years contract	JS/KC/SI	In place by January 2025 £30,000 per year	Agreed commencement on 1 December 2024 – community and business engagement Community projects designed for community cohesion to attract crowd funding Delegations to be finalised on 21 November Cabinet
Voluntary Sector/Community grant funding to match and contribute to Spacehive projects around community cohesion	KC/KI	In place by January 2025	Approved retention of £90,000 from MHCLG Criteria for community cohesion projects to be finalised following 21 November Cabinet Platform to be established – community project proposals – to encourage businesses to be involved to contribute (potential to increase funding investment for projects to £120,000 per year
Commissioning of specific projects identified through the honest conversations	JS	To March 2026	Actions from honest conversations eg:- <ul style="list-style-type: none"> • Volunteering for all • Community webpages (Link to County)
Additional community cohesion work arising from the Honest Conversations		To March 2026	Opportunity to link to Belong Network training, frameworks and activities for all VCSE, businesses and community groups
SPORTS/ARTS/CULTURE			
Community sports activities (including asylum seekers and other minority groups)	JS/HP/	Summer 2025 and onwards	Explore links with Tamworth Football Club Expand existing bookings for Anker Valley
Community Lottery set up and operate	JS	Summer 2025	Proposed idea

Outline Thoughts – Community Recovery Fund/Asylum Dispersal

Potential ethnic food festival – delivered by community groups	Arts and Events	Summer 2025 (pre spend retained)	Proposals need to be developed with community groups/asylum support
Community Music festival	Arts and Events	Summer 2025	Combined above?
EDUCATION & AWARENESS			
Shining a light on hate crime / disorder issues / educating the public and businesses (their employees) on managing cultural tension and building community cohesion. Running workshops <ul style="list-style-type: none"> Utilising the College for training to be delivered to businesses. Work with chamber of commerce to support minority groups to start businesses within the community, as well as locate individuals and workforces who can support skills gaps in existing businesses – project to bridge employment and skills gaps while merging minority groups and diversifying work forces within local economy. 	Economic Dev	Throughout 2025	Potential for work here with the Belong Network and USAH Workshops to educate, raise awareness and bridge gaps in skills and workforce as well as having on the ground advisors to assist businesses in filling skills gaps and locating skills
Projects around community/diversity and Tamworth history	Castle	Summer 2025	
Journey of Asylum seekers - exhibition	Castle/Ass ems	Summer 2025	Potential for touring around the town – libraries/schools etc
'Shine a Light' - Celebration of other religious festivals, through light	JS/AMc	Ongoing -	'Shine a Light' series of light themed events, working with Arts and Events, and markets teams. Draw inspiration from Light Night. Diwali Lunar New Year

Outline Thoughts – Community Recovery Fund/Asylum Dispersal

			<p>Kwanzaa Hanukkah Lantern Festival Northern Lights, Norway – to be projected and featured in Ankerside? / Snowdome Joint project. Winter Solstice, Saxon themed midday – evening event / Lantern procession. Also brings in heritage and collaborative working with Castle. Food festival of foods around the world. Can utilise celebrity chefs as a draw in.</p>
Community cohesion/Prevent work/Hate Crime work in Schools	JS/AMc working with schools and SCVYS	March 2025 onwards	<p>Countering social media, hate crime, Small Steps engagement – peer mentoring Asylum seekers stories in schools School ‘swap’ project – visiting schools in other areas</p>
Work with Families First (Staffs County Council)			Exploring family dynamics, targeting support
Asylum seekers volunteering projects (combine with Asylum Dispersal Fund)			Explore skills of the asylum seekers to encourage volunteering opportunities with businesses
Work in schools exploring diversity/ethnic cultural influences	JS/AMc	Spring 2025	<p>Workshops/consultations/lived experiences Annual school ‘We Love Tamworth’ and valuing place we live</p>
CAPITAL			
Hot desking and VCSE collaboration space in Marmion House	ZW/PW/JS	January 2025	Capital scheme to enhance hot desk and meeting space for VCSE
Work with the muslim community at Park Farm to improve community facilities	PW/JS	Spring 2025	To be contacted to determine what work can be done to improve facilities and centre for wider community uses – community projects
Seek to work up plans for other TBC assets for community use	PW/JS	Spring 2025	To work with Paul and team

Outline Thoughts – Community Recovery Fund/Asylum Dispersal

Criteria for fund spend:

It is in response to the violent disorder that took place between July and August 2024 and is on, or in connection with:

- i. Immediate action to safeguard life or property
- ii. To prevent suffering or severe inconvenience
- iii. To reduce the risk of further disorder in the future
- iv. To rebuild social trust and promote cohesion between communities

Spend to be confirmed following detailed costings for projects and committed by 31 March 2025 (subject to MHCLG confirmation)

Payment Platform Statement

Date of last review: January 2024

Date of next review: January 2025

Spacehive works with a third party payment platform provider to facilitate the secure collection and transfer of monies raised in crowdfunding to project owners in order for them to deliver their project. Our current payment platform provider is Stripe, a leading online payments processor.

Project owners create an account with Stripe when they are creating their crowdfunding projects on Spacehive and undergo a banking standard verification process, handled completely by Stripe, to check the validity of their identity. It is the responsibility of the project owner to participate in the verification process to ensure that monies raised in crowdfunding on Spacehive can be transferred quickly, safely and securely to the project owner once a fundraising target has been hit.

For the avoidance of doubt, Spacehive does not request, store or host any project owner bank account information. All project owner bank account information is handled by Stripe and is processed in accordance with their privacy policies.

Spacehive holds funds on behalf of our local authority partners so that pledges to crowdfunding campaigns can be made safely and securely via Stripe. Funds are held by Spacehive in a protected Designated Client Account in the name of the local authority partner. This means that it is held securely and separately from Spacehive Ltd monies. Upon written instruction by a local authority partner, Spacehive will pledge funds via Stripe to the crowdfunding campaign of the specified project. Any unused funds at the end of a programme can either be used on the following round of projects or returned to the local authority.

When a crowdfunding target is reached, the local authority pledge will be collected along with all other pledges from the community and transferred to the project owner via Stripe. If the crowdfunding target is not met, the local authority funds will remain in the Designated Client Account and are available for pledging by the local authority partner to other projects being crowdfunded on Spacehive.

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Community Impact Assessment

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	UK Government Recovery Fund Spend	
Date Conducted	November 2024	
Name of Lead Officer and Service Area	Jo Sands, Assistant Director Partnerships	
Commissioning Team (if applicable)		
Director Responsible for project/service area	Rob Barnes, Executive Director Communities	
Who are the main stakeholders	Communities of Tamworth	
Describe what consultation has been undertaken. Who was involved and what was the outcome	Cabinet report VCSE consultation	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	Commissioned partners the Belong Network to undertake Honest Conversations	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input type="checkbox"/>
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	X
	Existing	<input type="checkbox"/>
	Being reviewed	<input type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

Following the riots of August 4th, the Council have received £500K for community cohesion and recovery.

Proposals aim to spend the grants accordingly and make plans for community cohesion projects moving forward

Who will be affected and how?

The communities of Tamworth through spend plan activities to improve community cohesion

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

EDI policy

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery fund spend it to make projects and spend intergenerational and involve all ages
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to include disability groups
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Funding regardless of marital status
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Funding regardless of situation
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to include and make projects which reach out to all races
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to include and make projects which reach out to religious groups
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups

Those with caring/dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Those having an offending past	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Children	<input type="checkbox"/>	x	The aim of the Recovery Fund spend is to include children
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund spend is to include children
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Those with drug or alcohol problems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Those with mental health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups and include health colleagues
Those with physical health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups and health colleagues
Social inclusion Please include refugees and asylum seekers,	<input type="checkbox"/>	x	The aim of the Recovery Fund is to promote cohesion and include minority groups directly affected by the unrest
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups
Health and Wellbeing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The aim of the Recovery Fund is to promote cohesion and include minority groups which will assist health and wellbeing
Climate Change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No direct impact

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.

Impact Area	Details of the Impact	Action to reduce risk
<i>Eg: Families</i>	<i>Families no longer supported which</i>	<i>Signposting to other services. Look to external funding</i>

	<i>may lead to a reduced standard of living & subsequent health issues</i>	<i>opportunities.</i>

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
Positive	Outcomes and Actions entered onto Pentana	Partnerships Team	March 2025	All spend to be identified by 31 st March 2025
Positive	Project outcomes directly monitored for returns to Government			

Date of Review (If applicable)31 March 2025.....

Guidance and form updated July 2023 following CMT approval.

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Thursday, 21 November 2024

Report of the Portfolio Holder for Housing, Homelessness and Planning

Council Housing - Tenancy Management Policy

Exempt Information

None

Purpose

To request approval for the adoption of the Tenancy Management Policy 2024, setting out the Council's approach to offering tenancies as well as how we will manage and sustain tenancies.

Recommendations

It is recommended that Cabinet:

1. Approve the draft Tenancy Management Policy set out at **Appendix A** and subsequent publication on the Council's website.
2. Delegate authority to the Executive Director Communities in consultation with the Portfolio Holder for Social Housing, Homelessness & Planning to make the final amendments to the Tenancy Management Policy (**Appendix A**).
3. Approve the completion of a full review and consultation on the types of tenancies the Council grant and report back separately to Cabinet during the Summer of 2025/26.

Executive Summary

The need for a Tenancy Management Policy arises out of a range of social housing reforms set out in the Localism Act 2011 and through changes to the regulatory standards that all social landlords are expected to meet.

As set out in the Regulator of Social Housing's (RSH) 'Tenancy Standard', all social housing landlords are required to publish a clear and accessible Tenancy Management Policy which outlines their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions and tackling tenancy fraud.

The proposed Tenancy Management Policy set out at **Appendix A** is the latest version which has been co-designed together with the Tenant Consultative Group and continues to meet the Regulator of Social Housing's statutory requirements as detailed above.

The policy has been updated with the aim of making it easier and clearer for tenants to understand their tenancy, the level of security their tenancy offers, their rights and responsibilities and what they can expect from the Council as their landlord. With the overall principles, aims, scope and approach of the policy remaining unchanged as per the initial Tenancy Management Policy which came into effect in April 2013 and previously approved by Cabinet. A summary of the policy revisions is set out on page 2 of the Tenancy Management Policy at **Appendix A**.

The aim of this Tenancy Management Policy is to set out how the Council will manage and help sustain tenancies from the point at which a tenancy is granted (tenancy commencement date), through to the point it ends (tenancy termination date) and the stages during its lifespan. It will also continue to ensure current and future tenancies with the Council are managed fairly, transparently and consistently in-line with relevant legal and statutory requirements.

A summary of the tenancy types the Council continues to grants and policy detail is set out in the report below.

The Tenancy & Estate Management Team who are responsible for managing tenancies and applying this tenancy management policy on day-to-day basis, will be undertaking a full day of face-to-face tenancy management legal training with Anthony Collins Solicitors on 12th November 2024 at Marmion House, to ensure they fully understand and can competently deliver their responsibilities on behalf of the Council.

Subject to Cabinet approval, next year the Council will undertake a comprehensive review including tenant consultation on the types of tenancies it grants including the option of introducing `Introductory Tenancies` and ending the use of flexible fixed term tenancies, with a separate report being submitted to Cabinet during the summer of 2025 with the consultation findings and recommendations.

Background

Tenancy Management Policy Scope & Detail

This policy will apply to all tenants who hold a tenancy with Tamworth Borough Council and will cover information on the key areas listed below:

- The types of tenancies we grant
- The circumstances in which we grant a tenancy of a particular kind
- Where we grant tenancies for a certain term, the lengths of the terms
- The circumstances in which we grant a further tenancy that's coming to an end of its existing tenancy and clear guidance on the appeals procedure
- Sustaining tenancies
- Tenancy rights and responsibilities
- Tenancy changes including succession
- Mutual exchanges, transfers, downsizing & decants
- Tenancy enforcement
- Ending a tenancy
- How to appeal

Full details of all the above and tenancy types below is set out in the attached draft Tenancy Management Policy 2024 at **Appendix A**.

Tenancy Types Granted

The types of tenancies the Council grants remain unchanged as per the original Tenancy Management Policy 2013, previously approved by Cabinet. A brief description is set out below.

Tenancy Type	Who this will be offered
Use & Occupations Agreement (temporary)	<ul style="list-style-type: none"> ✓ Customers who do not have exclusive occupation of the property
Secure Tenancy (lifetime)	<ul style="list-style-type: none"> ✓ <u>Existing</u> secure Tamworth Borough Council tenants (with tenancy start dates prior to 1 April 2013) who transfer to another social rent Tamworth Borough Council owned property. ✓ Secure tenant with another local authority and: <ul style="list-style-type: none"> ○ the move is from one council to another, ○ the tenant was a social housing tenant prior to 1 April 2012 and has remained a social tenant ever since ○ the property they are moving to is at a social rather than affordable rent ✓ Assured tenant with a private registered provider and: <ul style="list-style-type: none"> ○ the tenant was a social housing tenant prior to 1 April 2012 and has remained a social tenant ever since ○ the property they are moving to is at a social rather than affordable rent ✓ Tenants moving into properties designated for older people this includes bungalows, high rise flats, sheltered housing ✓ Tenants moving into one-bedroom general needs properties and one-bedroom affordable rent properties. This does not include one bedroom disabled adapted bungalows.
Non-Secure Tenancy (temporary)	<ul style="list-style-type: none"> ✓ Tenants moving into Temporary Supported Housing Accommodation
5 Year Flexible Fixed Term Tenancy	<p>New tenants to Tamworth Borough Council that are moving into:</p> <ul style="list-style-type: none"> ✓ 2-bedroom properties. Excludes properties designated for elderly including sheltered & high rise ✓ 3-bedroom properties ✓ 4-bedroom properties ✓ 5-bedroom properties ✓ 6-bedroom properties ✓ 7-bedroom properties ✓ All disabled adapted properties including 1- & 2-bedroom general needs bungalows let to under 50's. (This does not include designated properties for the elderly; high rise flats, bungalows, sheltered and extra care.) ✓ All affordable rent properties ✓ Other properties not specifically referred to in this table

2 Year Flexible Fixed Term Tenancy	✓ Tenants moving into properties where there is an in principal decision to demolish or regenerate.
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Financial Implications

There are no financial implications arising from this report.

Equalities Implications

Please see Community Impact Assessment Appendix for full details.

Timetable

Finalise tenancy management policy and publish on council website and promote via tenant's newsletter and tenant's portal	By end Dec 2024
Review tenancy management policy (tenancy types granted) & set out consultation publications with support from legal	By end July 2025
Undertake tenancy management policy tenant consultation on proposed tenancy types	By end August 2025
Report back to Cabinet with consultation feedback and recommendations	By end October 2025

Report Author

Lee Birch – Head of Housing Management & Neighbourhood Resilience

Tina Mustafa - Assistant Director Neighbourhoods

Appendices

Appendix A – Draft Tenancy Management Policy 2024

Community Impact Assessment – Tenancy Management Policy 2024

Community Impact Assessment

Part 1 – Details	
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Tenancy Management Policy
Date Conducted	21 st November 2024
Name of Lead Officer and Service Area	Lee Birch, Head of Housing Management & Neighbourhood Resilience
Commissioning Team (if applicable)	n/a
Director Responsible for project/service area	Tina Mustafa, Assistant Director Neighbourhoods
Who are the main stakeholders	Tamworth Borough Council tenants and household family members
Describe what consultation has been undertaken. Who was involved and what was the outcome	Consultation has been undertaken with the Tenants Consultative group, who said they wanted a policy that was easier to read, particularly the section relating to succession. As a result, this policy version has been set out in way, so it is easier to read and clearer to understand. The section relating to succession has been broken down into easy-to-read sections.
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	As set out in the Regulator of Social Housing's 'Tenancy Standard', all social housing landlords are required to publish a clear and accessible Tenancy Management Policy which outlines their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions and tackling tenancy fraud. Most landlords have published their tenancy policy on their website.
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service <input type="checkbox"/>
	A Strategy/Policy/Procedure <input checked="" type="checkbox"/>
	A function, service or project <input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x'	New <input type="checkbox"/>

which applies	Existing	<input checked="" type="checkbox"/> Updating the existing tenancy management policy of 2013
	Being reviewed	<input type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

The aim of this Tenancy Management Policy is to set out how the Council will manage tenancies from the point at which a tenancy is granted (tenancy commencement date), through to the point it ends (tenancy termination date) and the stages during its lifespan.

Who will be affected and how?

This policy will apply to all council housing tenants who hold a tenancy with Tamworth Borough Council and will cover the key areas listed below:

- The types of tenancies we grant and in what circumstances.
- Decisions about reissuing a tenancy for the same or for a different property.
- Offering advice and assistance to those whose tenancy will not be reissued to find another suitable home.
- How prospective and current tenants can appeal against any decisions we make and how we will deal with those appeals, regarding:
 - The tenancy term offered, or
 - Not reissuing a tenancy on their current home
- Tenancy changes including succession, assignment, transfers, mutual exchange and ending how to end a tenancy.
- Helping our tenants to sustain their tenancy.
- Ensuring that our homes are occupied by their legal tenant.

Are there any other functions, policies or services linked to this impact assessment?

Yes x No

If you answered 'Yes', please indicate what they are?

- Allocations Policy
- Decant Policy
- Anti-social behaviour policy

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>As people get older, they need more support so they can retain their independence and health and enjoy their lives. Our sheltered housing for older people offers this stability and security, and we hope that tenants can stay in these homes for the rest of their lives with a secure lifetime tenancy award.</p> <p>A minor, that is, a person under the age of 18, can succeed to a tenancy but since they cannot legally hold a tenancy, a Trustee, who must be an adult, must hold the legal tenancy for the minor on Trust until the they attain the age of 18.</p>
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Some of our homes have adaptations to enable disabled people to live independently and with a good quality of life. Adaptations are expensive so we want to ensure that every adapted home is occupied by someone who needs the special features.</p> <p>We will consider requests for discretionary succession award by someone left in occupation that is not otherwise entitled to statutory succession. The considerations that may indicate that we may allow discretionary tenancy award include The property has been adapted or has special facilities or service provision to meet the remaining occupant's needs.</p>

Gender Reassignment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	To understand and meet the diverse needs of our tenants the council is undertaking a survey `getting to know you better` so we can deliver and improve on housing services to better suit tenants needs.
Marriage and Civil Partnership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Joint tenancies will be granted between husband/wife/civil partner/unmarried couple or between siblings.
Pregnancy & Maternity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	To understand and meet the diverse needs of our tenants the council is undertaking a survey `getting to know you better` so we can deliver and improve on housing services to better suit tenants needs.
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	To understand and meet the diverse needs of our tenants the council is undertaking a survey `getting to know you better` so we can deliver and improve on housing services to better suit tenants needs.
Religion or belief	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See above
Sexual orientation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See above
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See above
Gypsy/Travelling Community	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See above
Those with caring/dependent responsibilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	We will consider requests for discretionary succession award by someone left in occupation that is not otherwise entitled to statutory succession. The considerations that may indicate that we may allow discretionary tenancy award include: they moved into the property care for the tenant and in doing so gave up their home and this was a permanent move.
Those having an offending past	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Eligibility for all new tenants will be assessed during the housing application process in-line with the Allocations Policy.
Children	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A minor, that is, a person under the age of 18, can succeed to a tenancy but since they cannot legally hold a tenancy, a Trustee, who must be an adult, must hold the legal tenancy for the minor on Trust until the they attain the age of 18.
Vulnerable Adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Before we grant a tenancy, we will carry out an assessment to check that the prospective tenants can afford to live in the property and to identify whether any support is needed to ensure their tenancy is sustainable. Where the tenant has identified that they already have a support worker, we will suggest that they accompany them

			<p>to the viewing, and to the sign-up. We will encourage the tenant to tell us if they feel they need support, and if they do, we will refer them to one of the agencies who provide the necessary support to meet their needs.</p> <p>The Council works in partnership with Tamworth Advice Centre & Tamworth Hub which provides support to council tenants threatened with homelessness to help them maintain their home. These service helps Council tenants to sustain and maintain their tenancies where people have more complex support needs. This service supports people in financial hardship, drug and alcohol dependency or those that are extremely vulnerable.</p>
Families	<input type="checkbox"/>	<input type="checkbox"/>	<p>For family homes we prefer that they are always occupied by families who need the space they provide. Stability and the right home are particularly important to children so that they can grow up healthily and achieve well. We want to help children to have an uninterrupted education and upbringing in a decent home.</p>
Those who are homeless	<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The council fully supports tenants to sustain their tenancies from the point they move in (full details of all the support and services see the tenancy sustainment section within the tenancy sustainment policy).</p>
Those on low income	<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<p>As part of the sign-up procedure, we will refer new tenants to our Income Team if they have debt they are struggling to manage or may be entitled to benefits that they don't receive including a benefits entitlement check. We will also offer to help the tenant to claim for benefits.</p> <p>We will check that the tenant feels they are managing in their home and will, if this is indicated and the tenant agrees, refer them to the relevant internal department or to other external support agencies.</p> <p>The Council operates a Under Occupation Incentive Scheme which offers a financial incentive to tenants when they move to a smaller size property and the Housing Allocation Policy gives additional priority to tenants wishing to downsize.</p>

Those with drug or alcohol problems	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Council works in partnership with Tamworth Advice Centre & Tamworth Hub which provides support to council tenants threatened with homelessness to help them maintain their home. These service helps Council tenants to sustain and maintain their tenancies where people have more complex support needs. This service supports people in financial hardship, drug and alcohol dependency or those that are extremely vulnerable.
Those with mental health issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above
Those with physical health issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above
Social inclusion Please include refugees and asylum seekers,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	As above
Social inclusion: Armed Forces The Armed Forces Covenant is a pledge that together we acknowledge and understand that those who have served in the armed forces, and their families, should be treated with fairness and respect and any impact should be considered	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Please see Allocation Policy
Health and Wellbeing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If the successor (surviving tenant) is in a situation were moving would detrimentally affect their health and wellbeing, we may consider allowing them to remain in the property. As part of this process, the successor will be required to provide supporting medical evidence.
Climate Change	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications. this includes climate change considerations

This is the section in which to please outline any actions to mitigate negative or enhance positive impacts in terms of economic, environmental or wider societal considerations, and actions to review and monitor the overall impact of the change accordingly.

Impact Area	Details of the	Action to reduce risk
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	Impact	
<i>Age</i>	<i>Positive impact</i>	<i>Sheltered housing provision for older tenants with lifetime tenancies. Minors can succeed to a tenancy, as set out in legislation.</i>
<i>Disability</i>	<i>Positive impact</i>	<i>The Council aims to make best use of disabled adapted stock</i>
<i>Marriage / civil partnership</i>	<i>Positive impact</i>	<i>Joint tenancies are granted between spouse and civil partners and have statutory succession rights</i>
<i>Caring responsibilities</i>	<i>Positive impact</i>	<i>We will consider requests for discretionary succession award by someone left in occupation</i>
<i>Vulnerable adults / drugs & alcohol</i>	<i>Positive impact</i>	<i>The Council works in partnership with Tamworth Advice Centre & Tamworth Hub. This service supports people in financial hardship, drug and alcohol dependency or those that are extremely vulnerable.</i>
<i>Low Income</i>	<i>Positive impact</i>	<i>Dedicated Income Team to provide early intervention, support, advice, income maximisation and more.</i>

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your Community Impact Assessment, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
Positive	<p><u>We will:</u></p> <ul style="list-style-type: none"> • Provide a comprehensive, consistent, fair and efficient tenancy management service to all our tenants. • Ensure that all tenants and prospective tenants know and understand their rights and responsibilities. • Ensure that terms and conditions of tenancy agreements are complied with – both by us and by our tenants. • Ensure that all staff fully understand and deliver their responsibilities. • Comply with all relevant legal and statutory requirements. <p><u>To help deliver our commitments we will:</u></p> <ul style="list-style-type: none"> • Provide clear and accessible information in formats our tenants can understand about the tenancies that we will offer on different properties, and the circumstances under which a flexible fixed tenancy would not be 	Head Of Housing Management & Neighbourhood Resilience	Ongoing	Council will ensure that the management of tenancies is consistent, transparent and fair to all tenants.

	<p>reissued.</p> <ul style="list-style-type: none"> • State the tenancy terms and rent level with each property advertised and ensure the new tenants understands this before they sign-up to the tenancy. • Work to prevent homelessness and increase the availability of homes, including by: <ul style="list-style-type: none"> ✓ Telling all our tenants about how we can help them to maintain their tenancy successfully ✓ Acting promptly where we identify problems that could threaten someone's tenancy ✓ Helping tenants to find another home if their tenancy isn't suitable for their household ✓ Providing or enabling advice and assistance to help our tenants find a suitable home if their tenancy isn't to be reissued ✓ Ensuring that all our homes are occupied by people who are entitled to do so ✓ Making sure homes are re-tenanted as quickly as possible 			
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Date of Review (If applicable)

Guidance and form updated July 2023 following CMT approval.



Tenancy Management Policy 2024

Document Status: Recommending Cabinet approval 21 Nov 2024

Version: 1

Date: November 2024

Document Location & Revision History

This document is held by Tamworth Borough Council, and the document owner is Tina Mustafa, Assistant Director of Neighbourhoods and Mrs Lee Birch, Head of Housing Management & Neighbourhood Resilience. An electronic copy will be available on Tamworth Borough Council’s website once approved by Cabinet.

Revision Date	Version Control	Summary of changes
April 2013	Original version V1	Tenancy Management Policy came into effect from Monday 2 nd April 2013.
October 2024	V2	<p>This version of the policy has been revised to make it easier to read and clearer to understand, particularly the section relating to succession which has been broken down into easy-to-read sections in response to tenant consultative group feedback and to ensure it meets the new Regulator of Social Housing Standard requirements which came into effect on 1st April 2024. In addition, the policy has been updated as detailed below to reflect the Council’s current management arrangements.</p> <p>Added an entire new section: Section 2 - providing information on tenancy commencement.</p> <p>Added to section: Section 3 – provided information to explain sole and joint tenancies.</p> <p>Added to section: Section 7 – providing information on ‘Survivorship’ in the event when a joint tenant dies.</p> <p>Added to section: Section 7 – providing information on rent debt owed in the event when a tenant dies.</p> <p>Added to section: Section 8 – providing information on right to buy.</p> <p>Minor updates to the following section to ensure they reflect our current tenancy management arrangements across these areas: Section 9 Tenancy Sustainment, Section 10 Tenancy Enforcement & Section 10 Ending Tenancies.</p>

Introduction

We understand the importance of a stable and secure home: it offers the platform that people need to be able to get on with their lives, improve their circumstances and achieve their aspirations.

Our homes are let at rents that are lower than those charged by private landlords and that means that people have fewer worries about their housing costs and can focus instead on the other things that help them succeed – like training and employment, developing independent living skills, family and being part of the community. As they achieve their aspirations they may need or want to move on into other homes, perhaps in other areas. They might also need a different type of home, for example if they have children.

We have duties under the Equality Act 2010 to help those that are most vulnerable, including older people, disabled people and children. Our approach outlined in this policy helps us to fulfil our duties by enabling more vulnerable people to access and sustain a suitable home.

As people get older, they need more support so they can retain their independence and health and enjoy their lives. Our sheltered housing for older people offers this stability and security, and we hope that tenants can stay in these homes for the rest of their lives.

Some of our homes have adaptations to enable disabled people to live independently and with a good quality of life. Adaptations are expensive so we want to ensure that every adapted home is occupied by someone who needs the special features.

For family homes we prefer that they are always occupied by families who need the space they provide. Stability and the right home are particularly important to children so that they can grow up healthily and achieve well. We want to help children to have an uninterrupted education and upbringing in a decent home.

1. POLICY DETAILS

Policy Principles

The need for a Tenancy Management Policy arises out of a range of social housing reforms set out in the Localism Act 2011 and through changes to the regulatory standards that all social landlords are expected to meet.

As set out in the Regulator of Social Housing's `Tenancy Standard`, all social housing landlords are required to publish a clear and accessible Tenancy Management Policy which outlines their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions and tackling tenancy fraud.

This policy will set out in broad terms how different tenancy types will be awarded, reviewed and the circumstances when tenancies may not be renewed and how the Council will ensure that the management of tenancies is consistent, transparent and fair to all tenants.

This policy will also outline how the Council will offer advice and assistance to tenants whose tenancies are not being reissued to access alternative housing options.

Policy Aims

The aim of this Tenancy Management Policy is to set out how the Council will manage tenancies from the point at which a tenancy is granted (tenancy commencement date), through to the point it ends (tenancy termination date) and the stages during its lifespan.

The aims of this policy are to:

- Contribute to the delivery of the principles outlined in the Council's Corporate Plan.
- Clearly outline the types of tenancies the Council grant.
- Provide a high-quality tenancy management service to prospective and current tenants, in accordance with legislation, regulation, the Council's Allocations Policy and best practice.
- Ensure tenants understand their rights and responsibilities.
- Respond to the changing needs of our tenants.
- Make best use of our stock and ensure it meets existing and future tenants' needs.
- Ensure tenants have the right home for as long as they need it.
- Support our tenants to enable them to achieve their housing aspirations and importantly sustain their tenancy.

- Comply with all relevant legal and statutory requirements.

Policy Scope

Tamworth Borough Council is responsible for 4,312 council housing properties (as at 28/10/24), of which 365 are housing for older people living in sheltered housing accommodation, and 22 supported housing accommodation.

This policy will apply to all council housing tenants who hold a tenancy with Tamworth Borough Council and will cover the key areas listed below:

- The types of tenancies we grant and in what circumstances.
- Decisions about reissuing a tenancy for the same or for a different property.
- Offering advice and assistance to those whose tenancy will not be reissued to find another suitable home.
- How prospective and current tenants can appeal against any decisions we make and how we will deal with those appeals, regarding:
 - The tenancy term offered, or
 - Not reissuing a tenancy on their current home
- Tenancy changes including succession, assignment, transfers, mutual exchange and how to end a tenancy.
- Helping our tenants to sustain their tenancy.
- Ensuring that our homes are occupied by their legal tenant.

Legislation and Regulation

The Council is required to comply with and give due regards to statutory and regulatory requirements and codes of guidance in relation to its granting and management of tenancies. This policy has referred from the following documents, whilst this list is not exhaustive:

- Regulatory framework for Social Housing, in particular the Tenancy Standard
- Localism Act 2011
- Housing Act 1985 and 1996
- Equality Act 2010

Related Documents Internal:

- Allocations Policy
- Decant Policy
- Anti-social behaviour policy
- Rent setting policy

Our Commitments

We will:

- Provide a comprehensive, consistent, fair and efficient tenancy management service to all our tenants.
- Ensure that all tenants and prospective tenants know and understand their rights and responsibilities.
- Ensure that terms and conditions of tenancy agreements are complied with – both by us and by our tenants.
- Ensure that all staff fully understand and deliver their responsibilities.
- Comply with all relevant legal and statutory requirements.

To help deliver our commitments we will:

- Provide clear and accessible information in formats our tenants can understand about the tenancies that we will offer on different properties, and the circumstances under which a flexible fixed term tenancy would not be reissued.
- State the tenancy terms and rent level with each property advertised and ensure the new tenants understand this before they sign-up to the tenancy.
- Work to prevent homelessness and increase the availability of homes, including by:
 - ✓ Telling all our tenants about how we can help them to maintain their tenancy successfully
 - ✓ Acting promptly where we identify problems that could threaten someone's tenancy
 - ✓ Helping tenants to find another home if their tenancy isn't suitable for their household
 - ✓ Providing or enabling advice and assistance to help our tenants find a suitable home if their tenancy isn't to be reissued
 - ✓ Ensuring that all our homes are occupied by people who are entitled to do so
 - ✓ Making sure homes are re-tenanted as quickly as possible

Equalities

Tamworth Borough Council is committed to ensuring that the policy is non-discriminatory and that all tenants can access the service, especially taking account of any vulnerability or other specific needs.

This policy complies with the Council's Equality & Diversity Scheme which sets out our commitments to ensuring equality in service delivery.

This policy was subjected to a Community Impact Assessment before being adopted.

2. Tenancy Commencement

Housing Applications

Tamworth Borough Council operates a housing register in which applicants are awarded priority based on reasonable preference and priority need. Please refer to the Council's Allocation Policy for full details, available on the Council's website at www.tamworth.gov.uk.

Tenancy Start Date

All new tenancies commence on a Monday once signed by both the tenant/s and Tamworth Borough Council.

New Tenant Welcome Visits

All new tenants will receive a new tenancy welcome visit within the first 6 weeks of their tenancy commencing. This is a settling in visit to ensure that the tenant has moved in and are adhering to the terms and conditions of their new tenancy agreement. We will also discuss any support requirements the household may have.

Tenants are expected to use the property as their only or principal home and do not break any conditions in their tenancy agreement.

Rents and Service Charges

Rents and service charges are set annually. Incoming tenants are advised of these at offer and sign up of their new tenancy. Existing tenants are given formal notice of any changes to rents or service charges in line with their tenancy agreement.

Tenants are expected to pay their rent in accordance with their tenancy agreement. Tenants are obliged to inform us of any changes in their circumstances.

Household Composition

The details of who lives with the tenant (household composition) are gathered when make a housing application and again at sign up. If anything changes, tenants are asked to notify us.

The household composition must be suitable for the property. We do not knowingly allow our properties to be overcrowded or underoccupied. Should tenants wish someone to live with them, they must first seek permission from us. We may also check the household composition when we visit the property.

Tenancy Information

At sign up, it is important to understand the preferred method of communication. So, the following key information will be gathered to make sure you stay safe and well in your new home.

- Whether you prefer to be called, messaged, emailed or sent a letter
- A safe method of communication if safety of the household is an issue
- Your preferred language
- Whether you are visually impaired and your preferred method of communication
- Whether you require audio aids
- Whether you have a support worker or advocate
- Known medical health or mental health conditions including any disabilities

3. TENANCY TYPES

Issuing a Tenancy

Tenancies will be issued in the name of the applicant(s) on the housing application. If it is a joint application, then the tenancy will be joint and if it is sole, the tenancy will be sole.

Sole Tenancy

A sole tenancy is where only one person is named on the tenancy agreement. They are the only legal tenant even though other people may live in the property with them. A sole tenant is responsible for all aspects of the tenancy including the rent and any other property charges.

Joint Tenancy

A joint tenancy is where two people are named on the tenancy agreement. They are 'jointly liable', meaning both tenants are responsible for all aspects of the tenancy agreement including the rent and any other property charges.

Joint tenancies will only be granted between husband/wife/civil partner/unmarried couple or between siblings.

Tenancy Types

A description of the types of tenancies this Council will grant is set out in the table below.

Tenancy Type	Who this will be offered to (though see mutual exchange chart for tenancy offers when undertaking mutual exchanges)	Rent Type
Use & Occupations Agreement - a temporary agreement	Customers who do not have exclusive occupation of the property	Applicable charge, no change to temporary use and occupation rights

<p>Secure Tenancy – a lifetime tenancy</p>	<ul style="list-style-type: none"> ✓ <u>Existing</u> secure Tamworth Borough Council tenants (with tenancy start dates prior to 1 April 2013) who transfer to another social rent Tamworth Borough Council owned property; ✓ Secure tenant with another local authority and: <ul style="list-style-type: none"> ○ the move is from one council to another, ○ the tenant was a social housing tenant prior to 1 April 2012 and has remained a social tenant ever since ○ the property they are moving to is at a social rather than affordable rent ✓ Assured tenant with a private registered provider and: <ul style="list-style-type: none"> ○ the tenant was a social housing tenant prior to 1 April 2012 and has remained a social tenant ever since ○ the property they are moving to is at a social rather than affordable rent ✓ Tenants moving into properties designated for older people this includes bungalows, high rise flats, sheltered and extra care housing ✓ Tenants moving into one-bedroom general needs properties and one-bedroom affordable rent properties. This does not include one bedroom disabled adapted bungalows. 	<p>Will be let using a Social Rent and existing security of tenure will continue</p>
<p>Non-Secure Tenancy – a temporary tenancy</p>	<ul style="list-style-type: none"> ✓ Tenants moving into Temporary Supported Housing Accommodation 	<p>Will be let using a Social Rent and will be let on most appropriate basis</p>
<p>5 Year Flexible Fixed Term Tenancy - a tenancy that is</p>	<p>New tenants to Tamworth Borough Council that are moving into:</p>	<p>Will be let using a Social Rent</p>

<p>granted for a fixed period of time</p>	<ul style="list-style-type: none"> ✓ 2-bedroom properties excludes properties designated for elderly including sheltered & high rise ✓ 3-bedroom properties ✓ 4-bedroom properties ✓ 5-bedroom properties ✓ 6-bedroom properties ✓ 7-bedroom properties ✓ All disabled adapted properties including 1- & 2-bedroom general needs bungalows let to under 50's. (This does not include designated properties for the elderly; high rise flats, bungalows, sheltered and extra care.) ✓ All affordable rent properties ✓ Other properties not specifically referred to in this table 	
<p>2 Year Flexible Fixed Term Tenancy - a tenancy that is granted for a fixed period of time)</p>	<ul style="list-style-type: none"> ✓ Tenants moving into properties where there is an in principal decision to demolish or regenerate. 	<p>Will be let using Social Rent</p>

4. Flexible Fixed Term Tenancies

Tenancy Length

5 Year Flexible Fixed Term Tenancy - Tamworth Borough Council seeks to offer tenants a period that allows a degree of stability to enable the tenant to invest in their home and community. To achieve this balance Tamworth Borough Council's 5 year Flexible Fixed Term Tenancies on family accommodation and disabled adapted property will usually be for a period of 5 years and will generally be renewed unless, for example, the tenant's or their household's circumstances change and/or needs have changed and alternative accommodation would be more suitable, or if the tenant does not participate in the review process, or the property is earmarked for disposal/redevelopment or refurbishment.

2 Year Flexible Fixed Term Tenancy - will be applied to asset management properties where an in-principal decision has been made to dispose of or otherwise refurbish, requiring eventual vacant possession.

Flexible Fixed Term Tenancy Agreement

Tenants we have identified as requiring a fixed term tenancy will be offered one of two types of flexible fixed term tenancies, either:

- 1) A 5-year Flexible Fixed Term Tenancy. Tenants who will receive these types of tenancy must have become new tenants of Tamworth Borough Council after 1st April 2013. The tenancy is a flexible fixed term tenancy for the 5-year period.
- 2) A 2-year Flexible Fixed Term Tenancy. Tenants who will receive these types of tenancy must have become new tenants of Tamworth Borough Council after 1st April 2013. The tenancy is a flexible fixed term tenancy for the 2-year period.

Prior to the Council granting the Flexible Fixed Term Tenancy the tenant must be served with a notice notifying the tenant that the tenancy will be for a fixed term of either two or five years as appropriate.

Ending of a Flexible Fixed Term Tenancy prior to the expiry date

If the flexible fixed term tenancy is not conducted properly, the Council will serve a notice of seeking possession, if necessary and issue possession proceedings.

The details of this process are set out in the Council's Income Management Policy and Anti-Social Behaviour Policy.

Tenant Ending the Flexible Fixed Term Tenancy

If a tenant on a flexible fixed term tenancy wishes to end their tenancy prior to the fixed term end date, they may do so by giving a formal written offer of surrender providing four weeks' notice.

If it is a joint tenancy, one fixed term tenant can end the tenancy and in this case the tenant who wishes to end the fixed term tenancy must sign the written offer of surrender. If both joint tenants want to end the fixed term tenancy, then both must sign the written offer of surrender.

We will agree that the tenancy can be surrendered providing:

- Access is given to undertake a property inspection during the notice period and the property condition is found not to breach tenancy conditions
- The rent account is clear, or any monies owing are repaid at the date of surrender
- The property keys are returned on expiry of the notice period

Where the tenant does not comply with these conditions, the request to surrender may not be accepted and the tenant will remain responsible for the tenancy and the rent and other charges.

Demoting a flexible fixed term tenancy

If the tenant breaches the terms of their flexible fixed term tenancy, the Council can choose to apply to the courts to demote the tenancy. If the Council demote a fixed term tenancy, then pursuant to s.82A(6) Housing Act 1985 the tenancy becomes a demoted weekly periodic tenancy. At the end of the demotion period, s.143MA Housing Act 1996 governs the situation where a demotion order is obtained against a flexible tenant. Before the end of the demoted tenancy, we must serve a written notice on the tenant stating at the end of the demoted tenancy, the tenancy will be flexible tenancy for a term which must be specified in the notice, that term must be at least 2 years and attach copy of the tenancy agreement. The tenancy will then revert to a flexible fixed term tenancy.

Reviewing Flexible Fixed Term Tenancies

Where tenants are placed on a flexible fixed term tenancy, these must be a formally reviewed.

The Council will commence the review process 12 months prior to the end of the flexible fixed term tenancy term to ensure maximum opportunity to support the households. Circumstances will be reviewed up to the end of the fixed term, as a premature review could result in circumstances changing that would affect the decision whether to re-issue.

A notice will be served 6 months prior, in writing of the Council's intentions regarding whether we will reissue a tenancy on their existing home at the end of the term.

The Council will start the formal tenancy review at least 12 months prior to the tenancy end date by writing to the tenant/s to give notice of the review. The letter will include details of the circumstances under which a tenancy would not be reissued and a copy of our Tenancy Review procedure.

The review will be conducted according to our detailed Tenancy Review procedure and will include a home visit that will seek to establish whether the tenant/s and their household still fulfil the allocation policy criteria we have agreed for occupancy of their home.

The Council will then decide which action to take:

- 1.6.1 to re-issue a new Flexible Fixed Term Tenancy; or
- 1.6.2 to find alternative (and more suitable) accommodation; or
- 1.6.3 not offer any other form of tenancy

The Council will normally re-issue a further Flexible Fixed Term Tenancy unless.

- The property is adapted or has special facilities or service provision and no-one residing at the property requires these
- The property is under-occupied by as defined in the Allocations Policy which is in force at the time of review. Tenants will have to provide proof of household occupation for the past 12 months.
- The tenant/s and or their advocate do not engage in the fixed term tenancy review providing evidence of entitlement.
- The tenant/s does not accept the terms and conditions of the new Fixed Term Tenancy which includes consent from the tenant to use the same rent account.
- If the tenant/s comes into legal ownership of another home and the council property is not their principal dwelling.
- Tamworth Borough Council reasonably requires possession of the home to enable it to effectively manage its property stock, for example it is looking to sell the property, demolish or carry out major works. Usually this will be where it is assessed as uneconomical to repair and or re-let

The term of any new tenancy offered will comply with our policy laid out in table above, which may be different to the term of the previous tenancy.

Where the tenancy review identifies that the tenant/s with their household no longer fulfil the criteria for occupancy of their current home, at least 6 months' notice in writing will be given of our intention not to reissue the tenancy, and additional appropriate assistance will be offered to improve the household's opportunity to move to another property in either our or another social landlord's stock or in the private sector.

Where a tenant/s fail to cooperate with the review, for example by not agreeing or keeping an appointment for a home visit or failing to provide any evidence requested about the composition of their household, the tenancy may not be reissued. We will provide appropriate assistance prior to the tenancy ending to avoid this happening and will seek advice on a case-by-case basis where there is insufficient evidence to confirm it is occupied as per the policy.

Where we do not intend to reissue a tenancy, or we intend to reissue but on a shorter fixed term tenancy, we will include in our decision letter:

- Information on how to appeal against our decision, and the procedure that any appeal will follow
- Information on the advice and assistance we can offer to the household to find another suitable home.

Our processes for reviewing tenancies and for appeals are laid out in our *Tenancy Review Procedure* and *Tenancy Appeals Procedure*, copies of which will be provided to every flexible fixed term tenant as part of their tenancy pack, and at the start of each review.

Exceptions to the criteria for ending a flexible fixed term tenancy

The council will use its discretion to reissue a tenancy in exceptional circumstances and this will be delegated to the Head of Housing Management & Neighbourhood Resilience. Usually this will be where there is third party evidence and/or a value for money argument justifying renewing.

Housing Options and Advice

The Council will identify options for re-housing where a tenant has been advised that their tenancy will not be reissued.

Right to Review

Where Tamworth Borough Council offers to grant a flexible fixed term tenancy the tenant may request a review of the proposed length of the tenancy. The review may only be requested on the basis that the length of term does not accord with the Tenancy Management Policy of Tamworth Borough Council.

Where Tamworth Borough Council uses the Mandatory Possession Procedure for ending the 2- or 5-year flexible fixed term tenancy, all tenants will have the right to review the decision to end their tenancy. The review and appeals process are set out in the Tenancy Appeals procedure, with the tenant having 21 days after the service of the 'minded to' notice to appeal and then the right to a full review through a panel hearing.

Our processes for reviewing tenancies and for appeals are laid out in our *Tenancy Review Procedure* and *Tenancy Appeals Procedure*, copies of which will be provided to every fixed term tenant as part of their tenancy pack, and at the start of each review.

5. Tenancy Agreement & Conditions

Rights & Responsibilities

The tenancy agreement sets out the rights and responsibilities to both tenant and Tamworth Borough Council the landlord. The exact nature of these depends on the tenancy type. Tenants must refer to their tenancy agreement to understand their full rights, responsibilities, terms and conditions.

6. TENANCY CHANGES

Name Change

Tenants who change their name will need to provide sufficient legal evidence of the change before their tenancy agreement can be updated. The Council will accept the following documents as evidence:

- Deed Poll notification
- Marriage certificate or civil partnership
- Divorce documents

Sole to Joint Tenancies

Joint tenancies will only be granted between husband/wife/civil partner/unmarried couples or between siblings, subject to providing sufficient legal evidence of the relationship.

A new tenancy will be granted with both tenants named on the tenancy. This brings the former tenancy to an end and the sole tenant must be made aware of this prior to the termination of the tenancy.

Permission will normally be granted unless:

- There has been a breach of the tenancy agreement especially if this is due to rent (or other charge) arrears or anti-social behaviour, where a Notice of Seeking Possession has been served, where proceedings have been commenced or where a Court has made an order for possession whether this be outright, suspended or postponed.
- The spouse/partner/sibling is under 18 years of age.
- The spouse/partner/sibling has lived in the property for less than 12 months.

The tenant's partner/spouse must be able to provide sufficient evidence of occupancy.

Joint to Sole Tenancies

If we receive a valid Notice to Quit from a secure tenant or accept an offer of surrender from a flexible fixed term tenant this will end a tenancy when the four weeks' notice period expires. In the case of a joint tenancy this will end it for both parties.

Where a joint tenancy is due to be terminated, but the partner of the outgoing tenant wishes to remain in the property, we can consider whether to grant a fresh sole tenancy.

The circumstances that may indicate that a sole tenancy may be granted are:

- a) The property is suitable for the remaining occupant/s within the terms of the Council's Allocation Policy, and it is likely that the Council would have a duty to rehouse the occupant/s left in the property.

And / or

- b) There is evidence that removing the household from the property would cause a significant impact on the health & wellbeing of one or more occupants.

If you have extenuating circumstances, provide us with the details. In cases of domestic abuse, you will be referred for support.

If the property is not suitable for the remaining occupants within the terms of the Council's Allocation Policy, we (except for point b above) will allow the occupants to remain temporarily in the property until one suitable offer of accommodation can be made within the terms of the Allocations Policy. Whilst the occupant/s remain they will be charged for their use and occupation of the property at the same rate as the current rent charge. Non-payment will result in possession proceedings been taken.

The outgoing occupant will have no rights to the tenancy under these provisions.

If the remaining occupant declines an offer of accommodation that is suitable for their needs, the Council will not consider a further offer and will start proceedings to regain possession of the property.

Assignments

In some circumstances a tenant may assign their tenancy to another person who complies with certain criteria as laid out in their tenancy agreement and within this Policy.

We will not permit an assignment unless there is a statutory right to do so.

Applications for assignment are only permitted by statute in the following limited circumstances:

1. By way of mutual exchange;
2. Where a court has made an order to transfer the tenancy under either:
 - a. Matrimonial Causes Act 1973, Section 24;
 - b. Matrimonial and Family Proceedings Act 1984, Section 17(1);
 - c. Paragraph 1 of Schedule 1 to the Children Act 1989;

- d. Part 2 of Schedule 5 or Paragraph 9(2) or (3) of Schedule 7 to the Civil Partnership Act 2004;
3. To a potential qualifying successor if the tenancy agreement gives this right.

Secure and Flexible Fixed Term tenants will assign to the existing tenure type and term of tenancy.

Rights to take in a Lodger

The Council will act in such a way as to ensure that tenants are able to exercise their right to take in lodgers as long as it does not cause overcrowding.

Tenants do not need consent to take in a lodger, although contractually they must advise the Council in writing immediately prior to entering any arrangement.

On receipt of a written notification from a tenant that they intend to take in a lodger, we will contact the tenant to arrange to visit them in their home.

7. SUCCESSION

Death of a tenant

In the unfortunate event of a death of a tenant, the tenancy can be transferred over to an eligible family member. This is known as succession.

When implementing succession, we balance our duty to ensure that housing stock is managed appropriately, with sensitivity for bereaved family members.

Only one person can succeed to a tenancy. Joint succession to a tenancy is not possible.

We will require proof of eligibility; to support any application to succeed to ensure we can be satisfied the applicant qualifies for succession. Information we will require as part of this process will include:

- Tenant's death certificate
- Applicant's full birth certificate
- Passport, driving licence or other photo ID
- Proof of residence e.g. bank statement, electoral registration
- Proof of family connection

Statutory Succession

The law only allows for one statutory succession, and this can only take place where one or both tenants has died, and the potential successor must provide legal evidence of the death and information to demonstrate that they qualify for succession.

If the deceased tenant was a successor, or the surviving party of a joint tenancy, or there has been a previous assignment of the tenancy then there can be no further right of statutory succession.

Tenancies granted before 2nd April 2012

All secure tenants whose tenancy start date was prior to 2nd April 2012 have the right of one succession to their current tenancy on their death. Under Section 89 of the Housing Act 1985, a person is qualified to succeed to a secure tenancy if he or she occupies the dwelling as their only or principal home at the time of the tenant's death and either:

- He/she is the tenant's spouse or civil partner (i.e. husband, wife, common law partner or partner by way of a civil partnership). There is no residency requirement for a successor who is a spouse or civil partner, but they must have

lived at the property as their only or principal home with the deceased tenant at the time of their death.

- He/she is another member of the tenant's family including cohabitee and has resided with the tenant continuously throughout the previous 12 months ending with the tenant's death, and the property was their main residence. The definition of a family member is set out in Section 113 of the Housing Act 1985, as follows:
 - A spouse or persons living together as a husband or wife, or
 - A person's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece
 - In addition:
 - A relationship by marriage is treated as a relationship by blood,
 - A relationship by half blood is a relationship by whole blood;
 - A step child is treated as a child;
 - An illegitimate child is treated as a legitimate child.
 - The family member will need to provide evidence of occupancy.

Tenancies granted on or after 2nd April 2012

The Localism Act 2011 reduced the statutory right of succession for all secure and fixed term tenants whose tenancy start date was on or after 2nd April 2012, so that one succession is still allowed but only to the spouse, civil partner or cohabitee. All other rights and discretions remain the same as for secure tenants with a tenancy start date prior to 2nd April 2012.

Tamworth Borough Council will continue to apply Succession rights in the same way as previously, after 2nd April 2012.

Secure and Flexible Fixed Term tenants will succeed to the existing tenure type and term of tenancy.

Survivorship

Where there is a joint tenancy, held by two persons, and one of the joint tenants dies, the tenancy passes automatically to the remaining joint tenant known as survivorship.

The remaining joint tenant cannot 'succeed' to the tenancy, as they are already a tenant. However, where only one right of succession is allowed, survivorship will count as such, and therefore, no further rights of succession exist.

Any issues regarding the preserved 'right to buy' or rent arrears and any other property charges accrued by the original tenant will be passed to the surviving joint tenant.

Surviving joint tenants have the same security of tenure as before and where that is a secure tenancy, a joint tenant who is a family member cannot be asked to move from the property, even if the property is under-occupied, is unsuitable or has adaptations that they do not require.

A joint tenant who has ceased to reside at the property will still succeed to the tenancy as a sole tenant through 'survivorship'. However, they will have lost their security of tenure at the property by ceasing to live there as their only or principal home and the Council may commence possession proceedings by serving a Notice to Quit. If they return to the property before the notice expires and reside in it as their only or principal home, then their security of tenure could be restored.

There can be no joint succession.

Succession by a minor

A minor, that is, a person under the age of 18, can succeed to a tenancy but since they cannot legally hold a tenancy, a Trustee, who must be an adult, must hold the legal tenancy for the minor on Trust until they attain the age of 18. The Trustee will also act as the Guarantor for rent and other charges. The person who is appointed as the Trustee/Guarantor must be an individual such as a relative, Social Worker or Support Worker. The Trustee/Guarantor must execute a Deed of Trust and Deed of Guarantee and also sign the Tenancy Agreement.

There can be no joint succession.

Property too large and/or unsuitable

Where a successor to a tenancy is in accommodation that is considered unsuitable the Council may seek to move the new tenant (this does not apply to surviving joint tenants, see Survivorships section above for more details).

Accommodation would be considered unsuitable:

- Where there is one or more bedrooms over the housing need or underoccupied (as per Tamworth Borough Council's Allocation Policy)
- The property is designed for a specific client group, e.g. sheltered housing and the new tenant does not meet the criteria
- There are adaptations/disabled adaptations that they do not require

We will ask the successor to complete a housing application form and allow them to bid for suitable alternative accommodation and may also make a direct offer. Failure to accept an offer and/or move after being made a suitable offer may result in possession proceedings being issued.

The notice of possession will be served no sooner than six months after the death of the original tenant and no later than 12 months after the death. But we will do everything possible to find you more suitable accommodation before we make a Court application.

If necessary, the Council will seek possession of the property under the following grounds of Schedule 2, Housing Act 1985:

- Ground 13 – where the dwelling house has features which are substantially different from an ordinary dwelling house and which is designed to make it suitable for occupation by a physically disabled person, there is no longer such a person in occupation and the landlord requires the property for a physically disabled person.
- Ground 15 – the dwelling house is one of a group of houses which it is the landlord's practice to let to persons with special needs, a social service or special facility is provided in close proximity to the group of dwellings in order to assist persons with special needs, there is no longer such a person in occupation of the dwelling house and the landlord requires it for such a person.
- Ground 15a – the property is larger than reasonably required by the successor tenant and suitable alternative accommodation is available.

Ground 15a cannot be used if the successor tenant is:

- The spouse or civil partner of the tenant who died
- A cohabiting partner who lived with the deceased tenant as if they were married or civil partners

Ground 15a can be used for cohabiting partners if they:

- Did not live with the tenant as if they were married or civil partners

If the successor is in a situation where moving would detrimentally affect their health and wellbeing, we may consider allowing them to remain in the property. As part of this process, the successor will be required to provide supporting medical evidence.

Multiple Eligible Successors

In cases where there is more than one eligible successor who has a statutory right to succeed, and an agreement cannot be reached between the parties as to which household member should succeed to the tenancy then the Council will select a successor to the tenancy. The factors that will be considered are length of occupation, capacity to sustain a tenancy and relationship to the original tenant. (This is not an exhaustive list).

There can be no joint succession.

Discretionary Tenancy Award

We will consider requests for a discretionary tenancy award by someone left in occupation that is not otherwise entitled to statutory succession, because

- The one statutory succession has already taken place, and / or
- They have not lived in the home for the required period, and / or
- They are not a member of the deceased tenant's family.

The considerations that may indicate that we may allow a discretionary tenancy award include:

- The occupant is over the age of 18, is a family member, who is part of the household and has lived there as their only or principal home for a minimum of the previous 12 months prior to the deceased tenant's death.

And one of the following

- They moved into the property to care for the tenant and in doing so gave up their home and this was a permanent move
- The property has been adapted, or has special facilities or service provision to meet the remaining occupant's needs
- They have no other reasonable property to occupy
- They would qualify for this property under the Allocation Policy

Where we are minded to agree a discretionary tenancy but the occupant:

- Would under-occupy the home, or
- They have no need of specialist features, or
- The property is designated for older people, and they are under the qualifying age

They will be allowed to remain there temporarily until one offer of suitable accommodation can be made within the terms of the Council's Allocations Policy. If

the remaining occupant declines the offer of accommodation that is made, we will not make any further offers and will take steps to regain possession the property.

While an occupant remains, they will be charged for their use and occupation of the property at the same rate as the current rent charge. Non-payment will result in possession proceedings being taken.

Occupants may be offered a tenancy at the current property or a different suitable property, depending on the outcome of their assessment. If granted this would not be classed as a succession as a new tenancy would be given.

Those occupants who move into the property after the date of the tenant's death will not be eligible.

Debt and Account Management

Any rent credits or arrears on a tenancy that has been succeeded to by way of statutory succession (not including survivorship/remaining joint tenant) become a debt owed by/to the deceased tenant's estate and cannot be claimed from/by the successor.

Where a new tenancy is granted to an occupant that did not qualify to succeed, neither the arrears nor any credit pass to the new tenant.

If the successor is a remaining joint tenant, they remain responsible for any outstanding property debt including rent, court costs, service charges etc.

Non-Qualifying Occupants left in the property

Where the potential successor doesn't qualify for statutory succession, and they are not offered a new discretionary tenancy award, the Council will commence legal proceedings to obtain possession of the property.

We will notify the occupants that there is no right to succeed the tenancy, or they will not be offered a new tenancy award and will inform them along with the deceased's representative of our intention to seek possession of the property. This will require a Notice to Quit to be served on the personal representatives of the deceased tenant and a copy sent to the Public Trustee office within appropriate timescales.

Surviving occupants will be sign posted to the Council's Housing Solutions Team to access support to find alternative accommodation.

Death of a sole tenant with no eligible successors & no-one left in the property

If there is no family member eligible to succeed the deceased tenant's tenancy, the tenancy will end either when the tenancy is brought to an end by the tenant's representative, or by the Council who will take possession of the property. This will require a Notice to Quit to be served on the personal representatives of the deceased tenant and copy sent to the Public Trustee office within appropriate timescale.

8. HOUSING OPTIONS

Allocations to homes that will become vacant

We will contribute to the Council's overall corporate objectives for Tamworth by ensuring that our approach to letting homes works towards achieving:

- Greater choice, housing options, homelessness prevention and mobility
- Mixed, cohesive and sustainable communities
- Efficient use of stock
- An open, transparent and equitable service
- Value for money through customer satisfaction and tenancy sustainment

We will therefore advertise most homes, including any homes let at affordable rents, on Tamworth Borough Council's choice-based lettings system 'House Exchange' and will offer homes using the Council's Allocations Policy. Advertisements for homes will always include the rent (and any service or other charges) and the length of tenancy we would usually offer if the successful bidder were not a secure or assured tenant with protected tenancy rights.

To make best use of homes and maximise rental income, we will advertise and offer homes as soon as possible after the occupying tenant gives notice that they intend to vacate. This will mean that sometimes an offer will be made while the home is still tenanted, or while post-tenancy repairs are being completed. We will therefore:

- Agree with repairs contractors how the property will be made available to prospective tenants for safe viewing
- Always accompany prospective tenants as they view the home, and
 - Explain features and facilities
 - Be clear what standard they can expect of a ready to let home
 - If required, tell them about decoration allowances for the home, including the amount on offer
- Tell those who have been offered a property:
 - The anticipated date the property should be available for them to move in, promptly informing them of any variation to this date and
 - What work they can expect to be completed prior to their occupation

Under-occupation / Downsizing

The Council operates a Under Occupation Incentive Scheme which offers a financial incentive to tenants when they move to a smaller size property and the Housing Allocation Policy gives additional priority to tenants wishing to downsize.

Direct Matching

We will let specialist homes, including supported, sheltered housing, and adapted properties, to people on the Council's waiting list using the Council's Allocations Policy, but these may not be advertised on 'Finding a Home'. This is to ensure that these properties are occupied by people who have a specific need for the facilities and features, and because we know that older people and disabled people can find it more difficult to use a bidding system.

Moving within and across the Council's boundary

We will participate in arrangements to maximise opportunities for tenants who need to move home, either because their household circumstances have changed, or because they need to move area for employment or other reasons.

The Council is currently in partnership with the national House Exchange scheme and will continue to promote this internet-based option to market and maximise housing options.

As part of this we will proactively support:

- Valid mutual exchanges between tenants of our stock or between our tenants and those of other registered providers.
- Transfers of our tenants where their home no longer meets the household's needs, for example they:
 - Under-occupy by at least one bedroom
 - Are overcrowded
 - No longer need adaptations, facilities or services
 - Now require adaptations, facilities or services
 - Would benefit from more specialist accommodation, e.g., sheltered housing

Mutual Exchanges

The mutual exchange is an agreement between two or more parties to swap their tenancies and properties. Where they meet the criteria and there are no grounds to refuse the request, tenants have the right to exchange.

All secure and fixed term tenants (this does not include those on licence agreements) have the right to exchange with others with a similar tenancy agreement, as laid out in Section 92 of the Housing Act 1985.

Consent to an exchange between tenants who both have secure, assured or fixed term tenancy agreements will only be withheld on the grounds laid out at Schedule 3 of the Housing Act 1985.

The exchange will be carried out by virtue of an assignment pursuant to Section 92.

Where a mutual exchange takes place by way of assignment, all obligations and entitlements attached to the existing tenancy are assigned with it. The exception is the right of succession. So, for example if one of the parties succeeded to their original tenancy, there will be no further right of succession for any occupiers of the new home.

Consent to an exchange can be withdrawn if any of the Schedule 3 grounds become relevant during the proposed exchange.

The Council has 42 days to decide, whether tenants are entitled to an exchange or not.

Where there are rent arrears, outstanding rechargeable repairs or where there are other breaches of tenancy conditions, the Council may give provisional permission to exchange, conditional upon these breaches being remedied. Where an applicant is suffering exceptional financial hardship, an exchange can be granted without a clear rent account at the Council's discretion. In these circumstances the tenant will be expected to sign an agreement to clear any arrears following their move.

Refusals of exchanges will only be valid where the notice specifying the ground for refusal is sent to the tenant within 42 days of the tenant's application for consent.

Where a secure or assured tenant is exchanging with a tenant that is on a flexible fixed term tenancy the process for completing the exchange is set out at Section 158 and 159 of the Localism Act 2011. In brief, the tenancies will be brought to an end (surrendered) and each tenancy will be reissued so that each tenant keeps their pre-existing tenancy type and for the flexible fixed term tenant they will be issued with a new flexible fixed term tenancy length of either 2 or 5 years depending on the property. Consent to an exchange which takes place pursuant to Section 158 and 159 will only be withheld on the grounds laid out at Schedule 14 of the Localism Act 2011.

Consent to an exchange can be withdrawn if any of the Schedule 14 grounds become relevant during the proposed exchange.

Tamworth Borough Council's Allocation Policy and Mutual Exchange Policy reflect the same aims for the use of the Council's housing stock. For example, in line with the Council's Allocation Policy it will be highly likely that the Council will withhold consent to a mutual exchange when the result of it will be that a family will move into a home with more bedrooms than that family requires.

Grounds for refusing a mutual exchange apply (Schedule 3, Housing Act 1985) listed below.

1. If a tenant has a court order outstanding.
2. If legal proceedings have started for possession of their property.
3. If the proposed tenant moving in would be under occupying the property.

4. If the proposed incoming tenants would be over occupying the property.
5. If the tenant lives in a property that is mainly for non-housing accommodation, or when a tenant(s) property is linked directly to their job working for the Council.
6. If the property is adapted for disabled use and the incoming tenant does not need this type of property.
7. If the property and / or tenancy is linked to the provision of support.

Discretionary Mutual Exchanges

We consider discretionary mutual exchange requests if it is; -

- better use of council's housing stock
- value for money argument
- better use of disabled adapted property
- approved management move

Transfer

Where a secure tenant is transferring to a new home, the existing tenancy will be brought to an end, and they will be reissued with a new secure tenancy at their new home. Where a tenant is on a flexible fixed term tenancy, and they are transferring to a new home it will be offered on a new flexible fixed term tenancy length depending on the property type. If the tenant is however transferring to a one-bedroom property without disabled adaptations or sheltered housing, they will be issued a secure tenancy.

Decants

A decant is the term used where a tenant is required to move from their current property into temporary accommodation. This may be due to redevelopment or major works (re-wiring, build restructure, lift replacement). The Council has a separate Decant Policy which sets out the steps that will be taken and support that will be provided to the tenant.

Right to Buy

Most council tenants can apply to buy their home at a discounted price as part of the government's Right to Buy scheme.

To apply, you need to have lived in a council or housing association property for at least three years (two years if your tenancy started before January 18, 2005). This doesn't have to be continuous.

There are some circumstances where an application might be refused, for example if the property is part of a sheltered housing scheme or designed for elderly people or those with physical disabilities.

In most cases if you buy a house, you will purchase the freehold and own the property and land outright.

There are some council properties in Tamworth that are within a council-owned building or piece of land, such as apartments, which means you will only be able to purchase a lease.

There are various additional costs associated with becoming a leaseholder.

Full details on right to buy are available on the Council's website www.tamworth.gov.uk, including a right to buy guide, government advice leaflet, discount calculator, and application form.

Tenants can request a buying pack and any additional information contacting the right to buy team at righttobuy@tamworth.gov.uk.

8. Tenancy Sustainment

Sustaining Tenancies

We are committed to helping tenants maintain their tenancy and offer a variety of ways to support tenants to achieve this.

We would like all our tenants to be successful householders and settle into their local community, but we know that for some people this isn't easy. We will therefore take a supportive approach to helping tenants to:

- Settle into their home
- Pay their rent and other charges on time and keep a clear rent account from the beginning of their tenancy
- Abide by their tenancy agreement, and keep their home in good order
- Sustain their tenancies and avoid homelessness
- Be a good neighbour

Before we grant a tenancy, we will carry out an assessment to check that the prospective tenants can afford to live in the property and to identify whether any support is needed to ensure their tenancy is sustainable.

Where the tenant has identified that they already have a support worker, we will suggest that they accompany them to the viewing, and to the sign-up. We will encourage the tenant to tell us if they feel they need support, and if they do, we will refer them to one of the agencies who provide the necessary support to meet their needs.

As part of the sign-up procedure, we will refer new tenants to our Income Team if they have debt they are struggling to manage or may be entitled to benefits that they don't receive including a benefits entitlement check. We will also offer to help the tenant to claim for benefits.

We will provide a welcome pack that advises the tenant on the things they need to do when they move into their new home and subject to availability, we will signpost them to a furniture store or similar if they need household goods and don't have the resources to buy these.

We will complete a new tenant visit within six weeks of the tenancy start date, and will check that the tenant is settling into their home, that they are paying their rent (and / or that where applicable benefit is in payment) and that they fully understand the main features of their home (for example, the water stopcock, the heating system, the fuse box, utility supplies etc).

We will check that the tenant feels they are managing in their home and will, if this is indicated and the tenant agrees, refer them to the relevant internal department or to other external support agencies.

We will take an early prevention approach to rent (or other charge) debt and nuisance, so that tenants are quickly informed if they are in breach of their tenancy agreement and are given help to rectify this. If they need help to tackle nuisance that is adversely affecting them, we will support them and take prompt action to address the issues.

Tenants are required to maintain their properties in a reasonable condition and in accordance with their tenancy agreement.

The Council works in partnership with Tamworth Advice Centre & Tamworth Hub which provides support to council tenants threatened with homelessness to help them maintain their home. These service helps Council tenants to sustain and maintain their tenancies where people have more complex support needs. This service supports people in financial hardship, drug and alcohol dependency or those that are extremely vulnerable.

Below is a list of some of the types of support provided:

- Problems with money, low-level debt, rent arrears or benefits
- Help accessing mental health, physical health and/or drug and alcohol services
- Finding suitable training, education and employment
- Access to energy efficiency schemes to make their home warmer and cheaper to run.

The Council also has its own dedicated Income Management Team. They are responsible for ensuring tenants' rent and service charges are paid in a timely manner. The team agree affordable re-payment plans for those in arrears and take legal action against those that fail to comply. To help sustain tenancies, the income team also provides support to tenants to apply for housing benefit, avoid financial hardship, help to maximize their income and more.

Preventing Evictions

As far as possible the Council seeks to minimise the number of evictions that are carried out. We will work proactively to assist in sustaining tenancies with evictions usually taking place as a last resort once other informal and formal measures have been exhausted. Where evictions do take place, these are largely associated with

non-payment of rent or antisocial behaviour, and our approach to proactively managing these tenancy issues are set out below as an example of our approach:

- **Income management** Our income management team seek to proactively address any payment problems as quickly as possible to prevent debts accruing. We encourage people to contact us with any problems that they have in paying their rent and aim to provide tailored support to try to resolve any issues preventing non-payment. We also refer tenants for specialist benefits advice or debt counselling. We comply with the court's pre-action protocol. For further information see the Council's Income Management Policy.

- **Anti-social behaviour** Our Nuisance and Anti-Social Behaviour team proactively tackle all neighbour and anti-social behaviour issues as quickly as possible and aim to work constructively with victims and perpetrators to try to find amicable solutions.

Where informal strategies for resolving anti-social behaviour and other tenancy breaches is not successful or possible, the proportionality of legal action will be considered to determine the most reasonable and proportionate form of action. However, where tenancy breaches continue or the breach is serious and/or there is a risk of harm to other residents or staff, action may be taken to recover possession of a property swiftly and/or to seek other legal remedies, such as injunctions. For further information see the Council's Anti-Social Behaviour Policy.

9. Tenancy Enforcement

Tenancy fraud

We are committed to tackling fraud at all levels. We recognise the importance of multi-agency working and use several key methods for prevention including working with our partners and sharing information as appropriate.

We take a proactive approach to addressing housing fraud, this begins at sign up and includes the requirement for tenants to submit a photo to be kept on file alongside their tenancy agreement and re-checking of identification prior to signing of the tenancy. Rechecking of identification may also take place during the tenancy, to re-verify identity.

Targeted tenancy checks will be carried out where tenancy fraud is suspected to ensure that the property continues to be occupied by the tenant it was let to. We will take immediate action to recover properties that have been sub-let or that are unoccupied. This enables us to make best use of our properties to help meet housing need.

Where tenancy fraud is suspected, a referral is made to the Council's fraud investigation team.

Abandoned Properties

We recognise that tenants may be away from their homes for an extended period for several reasons. If the tenant is going to be away from their home and not return for more than 28 days, they must inform us that they will be away from home including making arrangements to pay their rent and ensuring the conditions of their tenancy agreement are kept.

Where we believe that the tenant may have abandoned the property (including anonymous notification) we will carry out investigations and try all forms of contact to locate the tenant. Where we are unable to do this, and we believe the property may have been abandoned (based on our investigation findings) we will serve a Notice to Quit and commence possession proceedings of the property if required. If the tenant returns to the property before the notice expires and resides in it as their only or principal home, then possession proceedings will cease.

Legal action and possession

As a landlord we may have to take legal action against you which may take the form of an injunction, or as a last resort possession of your home. We cannot simply enter your home; we may only do so with a court order or a warrant following legal action.

We will do everything possible to work with you including:

- dealing with all complaints
- practical arrangements to clear rent arrears
- assistance from our housing services
- we will take early and preventative action where possible
- we will safeguard vulnerable residents when considering action

Tenants evicted by us are treated as intentionally homeless under the homeless legislation. You may find it difficult to be considered for rehousing and we would urge you to work with us before this happens.

Antisocial Behaviour

Antisocial Behaviour (ASB) can include a wide range of nuisances, disorder and crimes which affects people's lives daily. It can feel and look different in every area and to every victim. What might be considered anti-social by one person, might be considered acceptable to another.

As a Council we are committed to working with our tenants and our partners to address all forms of ASB. Our ASB Policy lays out our approach to tackling this behaviour, and we will work with the police and other agencies to safeguard victims and take the necessary action against perpetrators. For further information see the Council's ASB policy.

10. Ending a Tenancy

Tenant End Date

All tenancies will end on a Sunday. Up until the end date, tenants will be responsible for paying rent and any other property charges and ensuring the conditions of their tenancy agreement are kept. The tenant will not be allowed to enter the property after this tenancy end date.

Secure tenants

Full secure tenants can terminate their tenancy by providing us with four weeks' notice in writing. We will complete a property inspection during the notice period to ensure that:

- The property does not breach tenancy conditions
- Any rent arrears or other outstanding payments are advised, and the tenant has an opportunity to pay up to the notice expiry date
- We can re-let the property as quickly as possible
- The tenant must return all the property keys and vacate the property at the latest on the date the notice expires.

Flexible Fixed term tenants

Flexible Fixed term tenants who wish to end their tenancy prior to the fixed term end date should apply to surrender their tenancy in accordance with the procedure outlined within the Flexible Fixed Term Tenancy section 4 above.

Pre-termination visits

Tenants moving out will receive a pre-termination visit. This is to make sure there is no tenant damage. Where this is identified, the tenant will be expected to rectify it before they move out and failure to do so, we will repair it and recharge the tenant the costs.

Belongings left in the property

Tenants are expected to clear all their belongings and correct dispose of all rubbish before returning the keys. If tenants leave belongings behind or rubbish, we will dispose of it and the cost of doing so will be recharged to the tenants.

Former tenant debt

We will make every effort to recover all rent arrears prior to the end of a tenancy. However once the tenancy has ended, any arrears and recharges will be dealt with as former tenant debt.

Tenancy records

All tenancy records will be held intact for a full six years post tenancy end in line with good practice guidance on document retention. They will then be anonymised and/or disposed of in line with the Council Document Retention Policy.

11. How to Appeal

All tenants or prospective tenants have the right to appeal any decision made relating to:

- The tenancy and term being offered
- Non-reissue of a tenancy at the end of a fixed term
- Who is allowed to be on the tenancy agreement
- Matters relating to succession to a tenancy

The right to appeal will be included in all letters to tenants about the matters above and will include the following process and timescales.

- Tenants or prospective tenants have [21] days of receipt of the tenancy-related decision to request a review of, or appeal the decision
- Requests for an appeal or a review can be made verbally, or in writing or on the tenant's behalf by a nominated representative but if the request is made verbally, it is the tenant's responsibility to ensure that the request is written down on their behalf.
- Reviews and appeals will not require the tenant's or prospective tenant's presence unless they specifically request an oral hearing.
- The person who determines the review or appeal, or who conducts an oral hearing will be senior to, and separate from any person who participated in making the original decision
- Tenants or prospective tenants will be given 5 working days' notice of the date of the review (counted from the day after a letter is delivered by hand to their address, or from the date after the letter is posted to their address in the first-class mail.
- If the appellant has requested an oral hearing, they can be present at the hearing and make representations on their own behalf or can nominate someone to act as their representative and make representations on their behalf.
- Decisions following an appeal or view will be notified to the appellant within 5 working days of the date of the review or hearing.

Our processes for reviewing tenancies and for appeals are laid out in our *Tenancy Review Procedure* and *Tenancy Appeals Procedure*, copies of which will be provided to every fixed term tenant as part of their tenancy pack, and at the start of each review.

12. Comments, Compliments & Complaints

Tenants' feedback is very important to us, it helps us to improve the services we provide to better meet the needs of our tenants. As part of this, we encourage feedback when we have done something well, or when you think we have done something wrong.

For full details on the Council's Comments, compliments and complaints policy including how to make a complaint and information about the Housing Ombudsman service is available on the Council's website at www.tamworth.gov.uk.

13. Review

This Policy will be reviewed every two years unless there are significant changes to legislation during this time, to ensure it is up to date and continues to meet the needs and aspirations of existing and potential tenants.

Thursday, 21 November 2024

Infrastructure, Safety, and Growth Scrutiny Committee

Tuesday, 12 November 2024

Report of the Portfolio Holder for Infrastructure, Heritage and Local Economy

Updated Asset Management Strategy

Exempt Information

Not exempt.

Purpose

This report presents the Asset Management Strategy linked to the Council's built assets for approval, the report includes associated documents for Asset Management Plans, and linked policies for acquisition and disposal of built assets.

Recommendations

It is recommended that:

1. Cabinet approves and implements the Asset Management Strategy as at Appendix 1.
2. Cabinet approves and implements the Asset Management Plan document as at Appendix 2.
3. Cabinet approves and implements the associated Acquisitions and Disposal policies as at Appendix 3 and 4.
4. Delegates authority to update and amend the Asset Management Strategy and associated plans and policies to the Assistant Director, Assets in consultation with the Asset Strategy Steering Group and the Portfolio Holder for Infrastructure, Heritage, and Local Economy.

Executive Summary

Whilst not a legal requirement it is good practice for the Council to have an up-to-date Asset Management Strategy that sets out the Council's approach to managing its built assets. An Asset Management Strategy should set out the reasons for the Council owning and managing built assets and should align this with the Council's corporate priorities. Alongside the main strategy document there will be a series of Asset Management Plans [Appendix 2] that set out the council's understanding, aims and objectives for built assets at a local and individual level.

The proposed Asset Management Strategy document at Appendix 1 is centred on the current set of corporate priorities, this will need to be updated as and when the corporate priorities change.

The strategy document will need to be read in conjunction with other documents such as the Housing Revenue Account Business Plan and Net Zero Carbon policies.

Once approved work will commence on the development of the Asset Management Plans and it is likely that some additional consultancy support will be required to assess specific sites, such as the industrial units.

Complimentary to the Asset Management Strategy are updated policies relating to the disposal [Appendix 4] and acquisition [Appendix 3] of land and build assets; these policies set out the Council's general approach to acquiring and disposing of land and buildings.

Options Considered

There is no legal requirement for the Council to have an Asset Management Strategy, it is however considered to be good practice. For this reason, no other options have been considered.

The Asset Management Plans arising from the Strategy will be used to set out more detailed options at an asset level.

Resource Implications

It is anticipated that external consultancy support will be required to assist with the development of detailed Asset Management Plans for the Council's industrial estates which are known to be approaching the end of their design life, and which are known to be in need of investment. Additional resource will be required should the asset base grow and in particular in the event that additional specialist assets are brought in-house. These resources will be subject to policy changes through the budget setting process.

The main purpose of the Strategy and associated Plans is to understand and plan for the resource requirements over time.

Legal/Risk Implications Background

Whilst it is good practice to have a published Asset Management Strategy it is not a legal requirement.

The Council's risk register highlights the need to understand and manage the Council's built assets and this Strategy with the associated Plans aims to address and put in place mitigations for the identified corporate risk.

Equalities Implications

Please see Impact Assessment at Appendix 5.

Environment and Sustainability Implications (including climate change)

There are no environmental and sustainability impacts arising directly from this report, the Strategy document does however reference the Council's Net Zero approach and any Plans arising from the Strategy will need to consider this.

Report Author

Paul Weston – Assistant Director Assets

Appendices

- Appendix 1 – Asset Management Strategy
- Appendix 2 - Asset Management Plans
- Appendix 3 - Draft Acquisitions Policy
- Appendix 4 – Draft Disposals Policy
- Appendix 5 – Impact Assessment

Asset Management Strategy 2024/25 – 2029/30

Foreword

Effective asset management is essential in enabling the Council to meet its statutory obligations, to servicing the public and in achieving its vision.

The framework of this asset management strategy sets the structure for managing our property portfolio effectively over the next 5 years. It will guide our future strategic property decisions to make sure we manage our property portfolio sustainably and efficiently, so that it can remain fit for the future and support frontline delivery. It will support asset-led transformation and innovation, giving clear direction and instruction to service areas in respect of how our assets and estate can help them achieve and exceed their objectives.

The Council assets exist: -

- to provide suitable accommodation for Council services so that they can deliver services to the citizens of Tamworth.
- to generate income
- to provide affordable housing
- to attract visitors to Tamworth
- to stimulate economic growth

Portfolio Holder comments

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Introduction

Property is the Council's most valuable asset in respect of financial value, as well as being essential for effective service delivery. A clear asset management strategy is essential to enable property decisions to be made in the best interests of those that we serve – the people and communities of Tamworth. These property decisions need to be transparent, and subject to robust challenge. They need to be consistent and reflect the flexibility that individual services require. They need to be effective at both operational and strategic level. The Asset Management Strategy provides a framework that sets out how and why these property decisions will be made, and how we lead and co-ordinate a process that involves service areas, portfolio holders, members, local businesses and the community. All of this is in a context of statutory compliance, best practice, sustainability, and innovation. The Council will aim to have a highly aspirational approach to the management of its assets, recognising their importance to the Council and the people it serves.

Corporate Priorities*

'Tamworth - celebrating our heritage, creating a better future.'

OUR PRIORITIES	IMPACT OF ASSET MANAGEMENT STRATEGY
1. The Environment	<ul style="list-style-type: none">• Supporting the Net Zero Carbon Strategy through property.
2. The Economy	<ul style="list-style-type: none">• Providing high quality affordable commercial property to support businesses and employment opportunities.
3. Infrastructure	<ul style="list-style-type: none">• Providing on and off road parking on housing estates.• Making use of surplus land to enable regeneration.
4. Living in Tamworth	<ul style="list-style-type: none">• Providing high quality, affordable, social housing.• Identification of housing regeneration opportunities.
5. Town Centre	<ul style="list-style-type: none">• Providing rental opportunities for retail units.• Fulfilling obligations as custodian of heritage assets.

*Corporate priorities will need to be updated as and when they change, and the impact of the Asset Management Strategy will need to be considered and aligned with the new priorities.

Property Categorisation

The Council owns a range of property types for different purposes; key to successful asset management is understanding the purpose for which the Council owns property. So far as possible the asset management strategy will use the Chartered Institute of Public Finance and Accountancy (CIPFA) property categorisations, these being:

Operational – operational property consists of those properties used by the Council directly to deliver services to the citizens of Tamworth, these properties need to be fit for purpose and of a suitable size and in a suitable location to allow for efficient delivery of services.

Heritage/Leisure – Tamworth enjoys a rich heritage (including a 900+ year old castle) which attracts visitors to the town, the Council has a responsibility as custodian to manage and maintain these buildings for current and future generations.

Investment – the Council holds a number of building assets for investment purposes, not only do these properties generate revenue for the Council they also provide places for businesses to grow and create employment opportunities.

Disposal – from time-to-time land and buildings will be identified for disposal, this could be for financial reasons, to support housing developments or to support regeneration projects.

Housing – the Council has a retained housing stock that exists to provide high quality affordable housing.

Income Generation

Like most Councils there is a need to increase revenues to support wider activities, typically the investment property portfolio has seen annual revenues in the region of £1.7m. If this income is to continue to support wider council activities a long-term investment and divestment programme will be required. The capital receipts from the disposal of poorly performing land and property can be reinvested in development and regeneration projects with the aim of showing an improved return on investment.

Changes to the way in which the Council operates has seen a reduction in the amount of space it needs for operational purposes; this will present an opportunity to make savings through reduced building occupation and offer the opportunity to use land and building assets to regenerate the town. In the short-term the Council should seek to generate an income through the letting of available space within the building.

The investment portfolio exists of land and property being held by the Council solely for the purpose of generating an income; they key objectives for this portfolio will be:-

- Increased revenue income
- Reduced costs and overheads
- Targeted investment
- Targeted divestment

The investment portfolio fits into two key categories:-

- Ground rents – the Council owns the land but not the buildings; these generate an income but generally would not incur any expenditure.

- Commercial lettings – the Council owns a number of small industrial units, town centre and local centre shops. These are let on a commercial basis on a variety of lease types.

Key to increasing revenue and reducing costs will be effective day to day operational management combined with a detailed understanding of stock condition:-

- Rent reviews – most leases will make provision for rent reviews at set periods. Undertaking rent reviews is a time-consuming process and in a stagnant market result in minimal returns. Resources will be made available to accurately identify and record all rent review dates with priority being given to those rent reviews likely to yield the greatest returns.
- Enforce tenancy conditions – tenant obligations vary from lease to lease; greater emphasis is to be placed on inspection of properties and the enforcement of tenancy conditions in relation to repairs so as to reduce future investment needs.
- Individual asset management plans – low level asset management plans to be developed for individual or groups of properties to assess performance and viability, to be used to determine investment and divestment.

Housing

As a stock retaining local authority the Council's key objective is to help improve the quality and condition of the stock and to maintain the Government's Decent Homes Standard. This objective requires a carefully planned programme of re-investment, as illustrated within the 30-year HRA Business Plan particularly against the backdrop of Government policy including rental reductions. This Strategy establishes the framework within which asset management operations will be provided. It highlights the component parts of the asset management function and their inter-relationship.

The housing stock represents the Council's highest value asset and its repair and maintenance its largest liability. The property owned is worth many millions of pounds, either as capital assets or as revenue generating assets; therefore, planning for its sustainable future is important.

The Asset Management Strategy fundamentally needs to balance assets and needs. In the context of social housing, Tamworth cannot charge open market rents and must therefore operate with a Business Plan that delivers good quality housing and services in a cost-effective way; although care is needed to ensure that a balance of these factors is maintained to ensure sustainability.

The Council has determined the current position regarding the housing stock and through business planning processes has also determined its long-term objectives, core business drivers and a vision for the future of the stock. These directional components have resulted in a number of initiatives and administrative processes, aimed at achieving the 'vision'.

The Council owns a wide range of property archetypes, there is generally demand for all property types although this demand can fluctuate.

The Council will maintain Decent Homes by developing works programmes in 5-year bands in line with the MTFs planning process. An amount of non-decency may therefore be

experienced within any 5-year period, although zero non-decency will be delivered at the end of each programme period. In this way Tamworth can maintain a logical programme of work that affords economies of scale and value for money and avoids the need to ‘pepper-pot’ works year on year to meet this theoretical standard.

It is anticipated that changes to the requirements around Decent Homes, the need to reduce carbon emissions and the introduction of the Building Safety Act combined with increased regulation of the sector will add to the overall investment requirements.

Portfolio Overview

The Council’s assets portfolio is valued at £277m (Existing Use Value) with an income from investment lettings of £1.7m per annum and an expenditure on repairs, maintenance and operations of £576,440.

Type	Number	Value (Mar 24)	Income ²	Revenue Expenditure	Required Investment
Operational premises	10	£3.46m	£160k	£238k	£2.7m
Heritage Leisure	12	£4.8m	Nil	£104k	£34k ¹
Investment	122	£22.7m	£1.7m	£197k	£850k
Housing	4289	£246m	£22.9m	£31.9m	£22.6m

¹ excludes works already underway at Castle

² rental income only

The above table sets out the portfolio values as at March 31st 2024 along with the planned income, annual expenditure and future investment needs as set out in the Stock Condition Survey data and relate to a 5-year period.

Key Challenges

There are a number of challenges facing the Council in relation to asset management with human and financial resources being the primary challenges.

In order to successfully deliver an asset management strategy on the ground it requires a strong team with clear direction and leadership. It will be the role of the Corporate Asset Strategy Group to take on the overall leadership role for Asset Management with the team under the Assistant Director Assets delivering the operational elements of the Asset Management Strategy. It is recognised that recruitment and retention into key professional roles can be challenging, and that external resource may be required to support. The cost of recruitment and use of external support will need to be factored into any future cost modelling to ensure that the monies expended on resources show a return on investment.

The changing face of business post-covid presents both opportunities and challenges. Through different ways of working the Council will be able to reduce its property related expenses by occupying less space, the same however will apply to the businesses operated by our tenants and it is anticipated that retail in particular will see further decline and this will have to be considered in our local asset management plans through viability modelling which will include a wider market demands study to determine where our investment properties fit within the local and wider regional markets.

Climate change is high on the Government’s agenda with a Climate Emergency having been declared in Staffordshire. The Council has already committed to achieving Zero Carbon across its own activities which will require investment in operational, heritage and leisure premises as well as common parts of housing properties. It is anticipated that housing standards will change with further emphasis on energy efficiency and there will be demand for energy efficient business premises. The challenge here will be that in most cases there will be very limited, if any, return on investment. Funding opportunities are likely to be available for social housing, but the Council will need to develop mechanisms to support local businesses, and in particular business tenants in applying for energy efficiency grants. Funding for operational properties will need to be modelled against projected savings to ensure that there is a return on investment.

The Social Housing Act and the associated regulatory framework will have an impact on the investment requirements of the housing property portfolio. There will be a requirement for ongoing collection of condition data and addressing matters such as Damp & Mould and building safety will be a priority that will require investment.

Asset Management Plans

An Asset Management Plan will be developed for all properties; these will take account of the reason for holding a property, its financial performance and any operational or strategic importance. The Asset Management Plans will consider the assessed value of the property, the income for the property, current and future expenditure, anticipated remaining life and demands data. This assessment will take the form of a Viability Model with properties being categorised as:-

- Green – performing well; financially viable, generating returns at or above market expectations, in demand, and attractive to quality covenants.
- Amber – in demand and could perform well with investment and would show a return on investment
- Red – poorly performing, not likely to show a return on investment, no demand

The Asset Strategy Steering Group will review the Asset Management Plans with a view to agreeing a course of action for each property or grouping of properties. Where the viability model indicates properties in Amber or Red a detailed proposal will be produced for consideration by the Asset Strategy Steering Group.

Category	Purpose	Performance Assessment
Operational premises	Service delivery	<ul style="list-style-type: none"> • Efficient and effective use • Minimising cost of occupation • Improved utilisation • Maximising building energy • Efficiency
Heritage Leisure	<ul style="list-style-type: none"> • Visitor offer • Health and wellbeing 	<ul style="list-style-type: none"> • Must be protected because of historic, heritage value • Social value assessment
Investment	<ul style="list-style-type: none"> • Revenue generation 	<ul style="list-style-type: none"> • Return on investment • Stimulate growth

	<ul style="list-style-type: none"> • Employment opportunity • Strategic influence 	<ul style="list-style-type: none"> • Stimulate regeneration
Disposal	<ul style="list-style-type: none"> • Generate capital receipt • Growth 	<ul style="list-style-type: none"> • Surplus land and buildings, • that do not fit into any of the categories above • Identified for strategic growth
Housing	<ul style="list-style-type: none"> • Affordable social housing • Health & wellbeing 	<ul style="list-style-type: none"> • Return on investment • Decency

Future Office Requirements

Since Covid the Council has operated differently having adopted a 'Smart Working' approach, this has impacted on the amount of operational office space required for normal day to day service delivery. Consideration will need to be given to the future of Marmion House and any future operational office needs. The review of operational needs is expected to fall outside the general scope of the wider Asset Management Strategy although some of the Asset Management Plan criteria will apply. As part of the wider review of Marmion House consideration is to be given as to how the building can be used to generate income through commercial lettings.

The 'post covid' commercial market has not recovered significantly and it is likely that this will continue to result in reduced demand for our investment property. The impact of this will need to be considered in any modelling; in particular retail is likely to continue to see a decline and consideration will need to be given to the future income potential of our retail premises. The Ankerside shopping centre is a known significant risk and will require its own specific plans.

The outcomes and impacts of the Future High Streets Fund investment is yet to be realised and understood. Consideration will need to be given to this once the project is fully completed.

Use of Data

Access to accurate and up to date information is crucial to the successful management of assets.

- Stock Condition Data – our housing property was last surveyed in 2018 with approx. 20% of properties being physically inspected and the remainder being cloned to give an accuracy of between 91% & 99%. A new condition survey is due for completion in 2024 and the Regulator for Social Housing [RSH] requires that Landlords update their information on a regular basis. Operational and Investment properties were surveyed in 2021. Separate detailed surveys were completed on the Castle and the Assembly Rooms was recently fully refurbished. Additional fire safety and structural surveys have

been carried out to the high-rise blocks and the Council's non-traditional housing properties.

- IT Systems – The Orchard system is used to hold information on all buildings owned by the Council. All repairs and investment works are recorded in Orchard and the system also holds stock condition data for the housing property portfolio. Separate databases are held for condition data for non-housing property. Further systems hold data on compliance testing across housing and non-housing property
- Energy Assessments – investment is needed in the development of an energy assessment database that will be used to identify targeted investment across the property portfolio. This will need to align with the Council's wider Net Zero strategy and aims to become carbon neutral by 2050.
- Income – income information is held within the eFin financial system, this information can be readily extracted for use in any viability modelling.
- Viability modelling – a simple viability modelling tool is available to use, the model considers factors such as useful remaining life, demand, value, investment requirements and income.

It is considered good practice to update condition data on no more than a five-year cycle; there is provision within the HRA budget; provision will need to be made with the General Fund budgets for the non-housing property.

Repairs & Investment

The Council has a detailed repairs and investment programme and associated budget for the HRA property portfolio based on the outputs from the stock condition survey. A similarly detailed programme is essential for the delivery of repairs and investment to the Council's non-housing property portfolio.

The Council should aim to undertake more of its investment work on a planned basis, ideally achieving ratio of 75% of spend being planned with 25% of spend being reactive. This will give greater certainty around investment requirements and is considered to be a more efficient way of delivering investment work.

Greater emphasis is to be placed on enforcing tenant repairing obligations across all property types, for housing tenants and leaseholders in HRA properties this means greater use of recharges and service charges. For commercial tenants resource will need to be allocated to property inspection and the enforcement of any tenant repairing obligations under the lease.

Responsibility for Asset Management across all property types sits within a single team ensuring a consistent approach and availability of resourcing. In April 2020 new 10-year contracts were awarded for Repairs & Investment with the same contractors now delivering across all property types. This has given us greater availability of resources, improved value for money and has reduced the administrative costs associated with contractor management.

The strategy will set in motion the need for a focused repairs and maintenance strategy for the non-housing portfolio similar to that already in place for the housing property portfolio. Maintenance will become planned and proactive to ease the burden of expensive reactive maintenance. Investment and improvement will be targeted appropriately and measured to match the both the capital and revenue monies available within the MTFs.

Condition Surveys and Condition Programme – This strategy will promote and engender visibility across a five-year programme of condition surveys. The Council will become

intelligence led in terms of financial deployment. The condition data will be coherent, transparent, accessible and dynamic to all areas to allow fast and effective decision making.

Coherent – consistent cost-effective survey programme providing compatible data with the Council's ICT property management system. It is likely that this will be delivered through external consultancies.

Transparent – data will be accurate, and quality checked to ensure evidence-based decisions can be taken when setting short- and long-term maintenance programmes. It does however be recognised that some information will remain confidential to within the Council for commercial and data protection reasons.

Accessible – data will be available to all officers through the property management system.

Planned Maintenance Programmes – This strategy recognises the tension between the financial budgetary pressures and planned maintenance. Through achieving a critical mass in terms of the quantum of the Council's estate and consolidating locations so far as practicable, this strategy endorses the fundamental importance of a Planned Maintenance programme. This is sometimes referred to as planned and preventative maintenance or PPM, this is the scheduled maintenance of an asset to prevent failure or deterioration and the key target in the corporate plan is to reduce any risks associated with health and safety or major failure leading to financial and reputational damage.

A rolling 5 year planned maintenance programme is developed using information gathered from condition and suitability surveys, fire risk and access assessments, service objectives, in accordance with the need/requirement set out by its categorisation and any determined required intervention. Extensive property data enables programmes of work to be developed that meet service needs, corporate objectives, and can address the highest priorities. Any planned maintenance programme needs to take account of the Council's Zero Carbon Strategy.

The planned maintenance programme is managed by the Assets Team and monitored through the Asset Strategy Steering Group. The programme need to be flexible enough to meet changing priorities and corporate objectives, as well as external factors such as responding to the challenges of the climate emergency.

Reduce Reactive Maintenance – This strategy proposes an approach to reduce reactive maintenance to 25%, promoting a move towards planned maintenance reflected within the identified budgets.

Disposals Policy

The Council currently has a disposals policy that deals with *ad-hoc* disposal, usually of small plots of land. Larger disposals generally result from corporate or regeneration projects. An overarching disposals policy is needed to ensure consistency in approach and to ensure that there is sound financial reasoning and rationale for any disposals.

In addition to the viability model a disposal toolkit is needed to properly record and assess the purpose of any disposal. Any toolkit will need to consider how capital receipts will be used.

Where assets are disposed of the capital receipts should ideally be ringfenced and reinvested back into the investment property portfolio to improve standards, longevity of the asset with

the aim of securing continued rental income. Specifically, where Town Centre assets are disposed of any funds should be reinvested back into the Town Centre.

The same approach can be used for the repurposing of assets.

Consideration will also need to be given to growth through acquisition of land and property.

Funding Opportunities

Asset Management and investment in property already forms a key element of the 30-year HRA business plan, this considers income, management costs and required expenditure. Condition data and investment plans will continue to feed the HRA business plan.

The condition data and viability modelling will be used to identify investment requirements in the non-housing portfolio using similar criteria to that used for housing; detailed Asset Management Plans will be developed for all key asset groups.

The Council will explore funding opportunities that become available to support the Asset Management Strategy.

Asset Accounting and Depreciation

As a Local Authority the Council is obliged to comply with the accounting standards set out by the Chartered Institute of Public Finance and Accountancy [CIPFA]. CIPFA sets out the requirements for asset accounting including matters such as land/building value ratios and the process for dealing with depreciation. Whilst these are required for compliance with financial regulations and reporting they are less relevant when looking at operational asset performance.

Strategic Partnerships

It is recognised that the Council may need to work with strategic partners to deliver services, to take advantage of specialist expertise and to leverage funding opportunities. A strategy for working with external partners will need to be developed. This work will be overseen by the Asset Strategy Steering Group. Assets such as the Ankerside Shopping Centre will need specific specialist management input.

KPIs and Monitoring

A suite of Key Performance Indicators will be developed and monitored by the Asset Strategy Steering Group. The KPIs will consider strategic issues alongside operational performance issues.

The Council will seek to engage in benchmarking with similar organisations.

KPI	Target	Assessment
Through effective service asset management planning the Council will retain fit for	Quarterly review/KPI monitor	Monitored by Asset Strategy Steering Group

purpose assets which strongly align to service delivery.		
Fit for purpose operational accommodation of reduced size to meet future needs of the Council	April 2025with regular review.	Monitored by Asset Strategy Steering Group.
Optimising the estate to reduce the volume of repairs and maintenance and reducing operating costs.	Quarterly review/KPI monitor	Monitored by Asset Strategy Steering Group
% of buildings with FRAs	100%	Monthly compliance reporting to ELT
% of buildings with condition survey no older than 5 years	100%	Monitored by Asset Strategy Steering Group
% of buildings with viability no older than 5 years	100%	Monitored by Asset Strategy Steering Group
% of buildings with urgent and essential category work outstanding	10%	Monitored by Asset Strategy Steering Group
% of buildings with Energy Performance Rating below national target	5%	Monitored by Asset Strategy Steering Group
% of commercial rent collected	95%	Monitored by Asset Strategy Steering Group & through monthly budget reporting
No of vacant investment units as % of total portfolio	10%	Monitored by Asset Strategy Steering Group
Average time taken to lease a unit	90days	Monitored by Asset Strategy Steering Group
% Tenant Turnover Rate	10%	Monitored by Asset Strategy Steering Group
% of Asset Valuations completed by due date	100%	Monitored by Asset Strategy Steering Group
% of rent reviews overdue	15%	Monitored by Asset Strategy Steering Group

Risks

There are a number of risks that will impact on the deliverability of the Asset Management Strategy, not all risks will be in the control of the Council and many external and unpredictable factors are likely to have an effect on the highly volatile property markets.

Risk	Impact	Mitigation
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Lack of financial resource	<ul style="list-style-type: none"> - Properties become unfit for occupation - Loss of income - Increased future spend. 	<ul style="list-style-type: none"> - Use data and information to plan budgets and ensure that budgets are available or impacts fully understood. - Disposals policy and consideration given to reinvestment.
Failure to allocate staff resource	<ul style="list-style-type: none"> - Inability to manage programmes resulting in properties becoming unfit or increasing costs. - Inability to undertake rent reviews resulting in loss of income. - Inability to manage tenancies resulting in increased spend on repairs and maintenance 	<ul style="list-style-type: none"> - Ensure sufficient capacity in team. - Prioritise allocation of resource to maximise return on investment. - Procurement of external resource to support where needed.
Lack of single source of data	<ul style="list-style-type: none"> - Inconsistency in planning - Spending twice - Missed properties 	<ul style="list-style-type: none"> - Ensure that data is held in a consistent manner in a single location. - Separate databases can be held for Housing and non-Housing
Contracts not delivering VFM	<ul style="list-style-type: none"> - Spend on maintenance exceeds allocated budgets. - Repairs/investment goes unactioned. 	<ul style="list-style-type: none"> - Long-term contracts already in place. - Ability to procure from alternative sourced if needed.
Changes in space demands	<ul style="list-style-type: none"> - Insufficient space to undertake operational activity. - Underoccupancy results in unnecessary costs. 	<ul style="list-style-type: none"> - Regular review of space needs. - Design accommodation to allow for scalability. - Review working practices to limit space needs.
Changes in regulation	<ul style="list-style-type: none"> - Unplanned spend on property. - Less money to spend on repairs and investment - Properties no longer financially viable. - Properties no longer lettable or fit for occupation. 	<ul style="list-style-type: none"> - Regular and active review of upcoming regulation changes. Identification of costs associated, revisit of viability models and reprofiling of budgets.
Tax & NNDR changes	<ul style="list-style-type: none"> - Unplanned spend on property. 	<ul style="list-style-type: none"> - Regular review of upcoming regulation changes. Identification of costs

	<ul style="list-style-type: none"> - Less money to spend on repairs and investment - Properties no longer financially viable. 	<p>associated, revisit of viability models and reprofiling of budgets.</p>
Failure to collect and update data	<ul style="list-style-type: none"> - Inconsistency in planning - Spending twice - Resources allocated to the wrong places - Properties become non-compliant. 	<ul style="list-style-type: none"> - Forward planning for condition surveys. - Forward allocation of budgets for updating condition data. - Ensure that data is held in a consistent manner in a single location. - Separate databases can be held for Housing and non-Housing
Data corruption	<ul style="list-style-type: none"> - Inconsistency in planning - Spending twice - Resources allocated to the wrong places - Properties become non-compliant. - Repairs & investment history not understood. 	<ul style="list-style-type: none"> - All data held in corporate systems that are backed up on a regular basis. - Monitoring of any externally held data to ensure that it is properly backed up and available for restore. - Reinstatement requirements identified in Business Continuity Plans.
Investment needs exceed available budget	<ul style="list-style-type: none"> - Properties become unfit for occupation - Loss of income - Increased future spend. 	<ul style="list-style-type: none"> - Use data and information to plan budgets and ensure that budgets are available or impacts fully understood. - Planned disposals of poorest performing property.
Unplanned expenditure demands	<ul style="list-style-type: none"> - Less money to spend on repairs and investment - Properties no longer financially viable. - Resources no longer available when and where needed. 	<ul style="list-style-type: none"> - Move towards a planned preventative model with an allocation of unplanned budget to deal with <i>ad-hoc</i> type works.
Unplanned reduction in income.	<ul style="list-style-type: none"> - Less money to spend on repairs and investment - Properties no longer financially viable. - Resources no longer available when and where needed. 	<ul style="list-style-type: none"> - Move towards a planned preventative model with an allocation of unplanned budget to deal with <i>ad-hoc</i> type works. - Seek to turnaround property as quickly as possible to increase income levels.

Exposure to market.	<ul style="list-style-type: none"> - A significant proportion of the annual income from investment properties comes from a single tenant. Failure of this tenant would impact on both investment opportunities and the wider Council budget position. 	<ul style="list-style-type: none"> - Monitor tenant's financial performance and stability. Raise early warnings of any known issues. - Where possible diversify and avoid single high income lettings.
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The Asset Management Team

The Asset Strategy Steering Group will have overall responsibility for overseeing the implementation of the Asset Management Strategy.

Meeting bi-monthly the group will: -

- monitor performance against the strategy and plans
- review the KPIs
- review viability models
- agree return on investment threshold
- review major disposal
- consider larger regeneration projects

The Group will have a mandate to agree standards and establish logical programmes of work designed to meet the requirement of the corporate stock, based on the recommendations of the Assistant Director of Assets. Requirements should go beyond those that are purely technical and thus should take into account other factors that contribute to effective asset management. The Group are kept informed through accurate data sources, including the Asset Management Database, and through these make informed business planning decisions, subject to budgetary availability. Care needs to be taken not to re-invest in poor performing areas at the expense of all others, nor should high-risk re-investment occur without due consideration, option appraisal and piloting. Condition related needs may not always be the root cause of the poor performance.

Monitoring and Review

The Council has identified the need to ensure that, as a portfolio of projects is undertaken, there are suitable monitoring and review processes in place so that the outcome of a particular initiative is closely monitored, and the achievement of business objectives realised.

The process will review the actual deliverables and outcomes of a project and compare these against the objectives as set out in the implementation plan. These processes will be instigated both during and at the completion of the project through regular progress reports, meetings,

feedback to key stakeholders and the Asset Strategy Steering Group, and through the pre-defined project process established by the Council.

As part of the monitoring and implementation plans, there will also be risk mitigation and contingency plans in place so that when problems occur their impact on the overall delivery of an initiative is minimised. The lessons learnt from such instances will be fed back into the Asset Strategy Steering Group to reduce the likelihood of their occurrence in future projects.

It is essential to the long-term success of the Asset Management Strategy that such lessons learnt, and other information is regularly communicated between all the key stakeholder groups and that feedback from users, including residents, is considered and incorporated into future plans.

Governance

The primary group responsible for oversight of Asset Management will be the Asset Strategy Steering Group consisting of:

- ELT Members
- Assistant Director – Finance
- Assistant Director – Assets
- Assistant Director – Growth & Regeneration

The Asset Strategy Steering Group will be responsible for:

- Approving the contents of the Asset Management Strategy
- Oversight of the implementation of the Asset Management Strategy
- Review of Asset Management Plans
- Review of Asset performance

For matters relating to Housing Revenue Account assets there will be oversight by the Housing & Homelessness Advisory Board

The Asset Management Strategy will be approved by Cabinet with oversight by the Corporate Scrutiny Committee and regular input from the relevant Portfolio Holder. The lead member will be the Portfolio Holder for Infrastructure, Heritage and Local Economy

Linked Strategies

Capital Asset Strategy
Net Zero Carbon Strategy
Housing Revenue Account Business Plan
Local Development Plan
Economic Growth & Regeneration Strategy
Corporate Workforce Strategy
Heritage Strategy
Arts & Leisure Strategy
Compliance policies

Appendices

Stock Condition Data
Asset Valuations Viability Model

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Asset Management Plans

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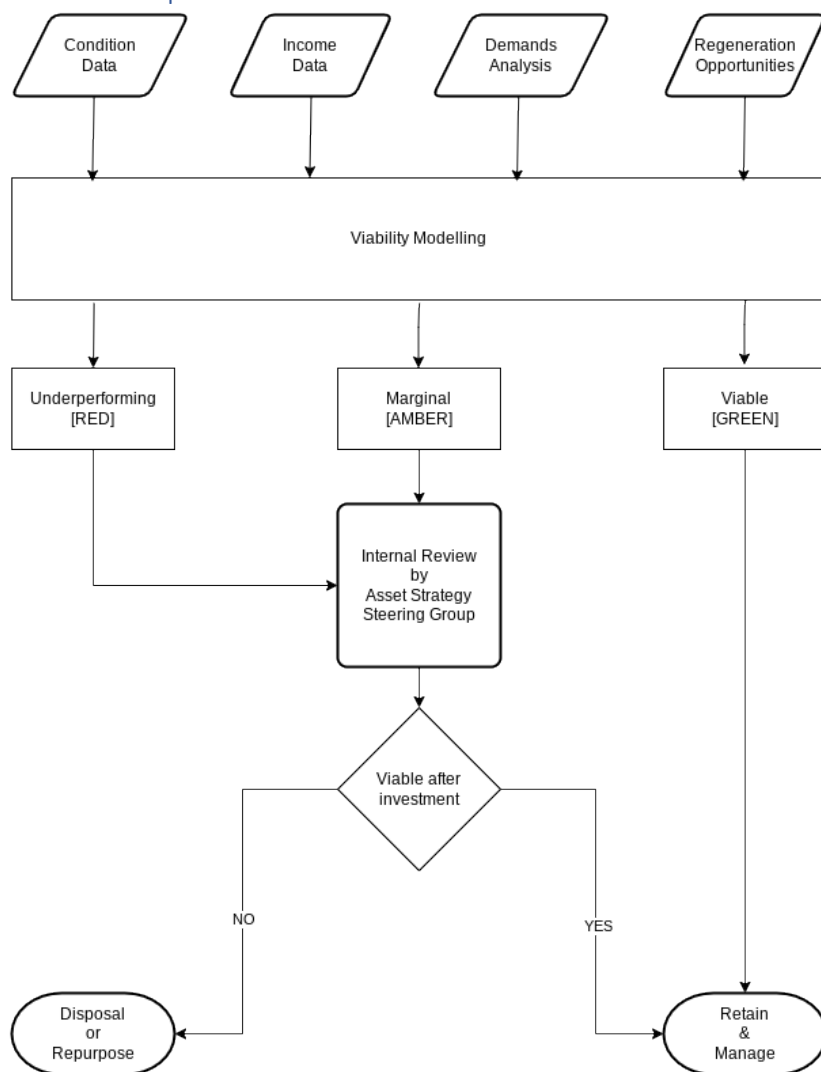
Context

The development of Asset Management Plans for Council owned land and building assets is referenced in the Asset Management Strategy, its primary purpose being to act as a toolkit to aid the decision-making process in relation to the future of a given asset.

An Asset Management Plan will be developed for each asset or where appropriate group of assets. Asset Management Plans will make use of a variety of data sources which will result in a recommended course of action.

It will be the role of the Asset Strategy Steering Group to review the Asset Management Plans and to make recommendations on the course of action to be taken.

Process Map



Data Inputs

- Condition Data – Information on condition will be collected for all built assets. This data will be used to determine the investment requirements for the asset over a 30-year period.

Condition data should be refreshed on a 5-year cycle to ensure that Asset Management Plans are being reviewed using current data. Included within condition data will be information on the planned and reactive expenditure required to maintain the property fit for use.

- Income Data – Income data is to be collected for all Housing properties and those assets held for investment/operational purposes.
- Demands Analysis – The demands analysis process will make use of a number of data sources. Information on void rates, void periods, churn and known waiting lists will be considered. Subjective demands data will be collected from those involved in operational management of assets. Suitability data will be considered under this data source.
- Regeneration Opportunities – Consideration will be given to wider Council aspirations for regeneration. The Regeneration Board will feed into the process by identifying assets that may be needed to facilitate regeneration projects.

Viability Modelling

The collated data will be fed into a software-based viability modelling tool. The tool will consider income vs expenditure, Net Present Values and needs/demands. The Asset Strategy Steering Group will set the thresholds that need to be met for the various outputs.

Generally, the financial viability modelling will consider a period of 30 years, however for some assets the Asset Strategy Steering Group may agree a different period.

Outputs

- RED – properties that significantly fail to make a return on investment and are proven to have little to no demand and are unlikely to be in demand. Properties that don't pass the suitability test and would be difficult to make suitable.
- AMBER – properties that are in high demand but fail to make a return on investment or properties that make a return on investment but are considered to be generally in low demand or properties that barely break-even financially. Properties that don't pass the suitability test but that could be made suitable.
- GREEN – properties that show a return on investment, are in demand and pass the suitability test.

Review Process

The Asset Strategy Steering Group will review all categories of output. There will be a 'reality check' of the categorisations. A review of all AMBER assets will be carried out with a view to moving them into either the RED or GREEN categories; this is likely to be a subjective process based on knowledge of the asset, cost of any investment required and a forecast of likely future performance.

Each asset in the RED category will be reviewed individually and a decision made on the most appropriate course of action to be taken.

Outcomes

- Disposal – it is likely that the most appropriate course of action for those assets in the RED category will be disposal. The method of disposal will be in line with the Disposals Policy.
- Repurpose – assets falling into either the RED or AMBER categories may be suitable for retention through a process of repurposing. Any proposed repurposing would need to be run through the viability modelling process to ensure that the repurposed asset would be suited to retention.

- Retain – assets falling into the GREEN category will generally be retained and managed in line with the data collected at the input stages. Assets identified for repurposing will fall into the retention category upon completion of the repurposing process.

Other considerations

Budgets – despite an asset being considered viable it is possible that the expenditure required is not available within the MTFs. Consideration will need to be given as to how to fund the retention of such assets. There may also be a need to dispose of assets as a means of generating a capital receipt for reinvestment purposes. The Asset Management Strategy and Asset Management Plans will be used in the annual budget setting process.

Regeneration – the Council may wish to use its assets as part of a regeneration project. Any project that makes use of existing assets and/or that will result in new or repurposed assets will need to take account of the viability modelling process so that its impacts on assets and budgets are fully understood.

Assets out of scope – some properties are likely to fall outside the scope of the Asset Management Plans. Assets held for community benefit or assets of historic nature are unlikely to present themselves as being viable, however the Council has a stewardship responsibility for these assets and will need to make provision for their retention and upkeep.

LAND & BUILDING ASSETS ACQUISITION POLICY

Document Status: Draft

Document Ref: AssetAcquPolicy

Originator: Assistant Director, Assets

Updated:

Owner: Assistant Director, Assets

Version: draft

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Next Revision

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Land & Building Assets Acquisition Policy
Approvals

Name	Title	Approved
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	Executive Leadership Team	?
	Cabinet	

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The document will be publicly available on the Tamworth Borough Council website.

Security Classification

This document is classified as 'OFFICAL and will be published on the Tamworth Borough Council website.

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Introduction

This policy relates to the acquisition of land and building assets by the Council.

Background

Tamworth Borough Council owns and manages a diverse portfolio of Assets which include property and land for a range of reasons including: -

- Operational property for the purposes of undertaking its business activities.
- Investment property for the purpose of generating income.
- Assets for community benefit including historic assets.
- Amenity and leisure land for public use.

This policy is directly linked to the Council's Asset Management Strategy which aims to define the purpose for which property is held, how its performance is assessed and how growth, retention, adaptation or disposal are considered.

The purpose of this policy is to provide a framework for the acquisition of land and building assets as a means of maximising income and meeting the changing demands of the Council and the residents of Tamworth.

The policy aims to provide a transparent methodology on the process for the acquisition of land and building assets.

The local authority may acquire land and building assets provided any acquisition is conducted on a sound financial basis, meets the strategic aims and objectives of the Council, and meets requirements around borrowing for investment purposes.

Approach

Definitions

Freehold – the acquisition of the Freehold interest in an asset through payment of a single premium. The asset could be land, building or both.

Leasehold – a registerable lease in excess of seven years, could be land, building or both. Will generally comprise of the payment of an initial premium with an ongoing rental payment.

Lease – a short-term lease of not more than seven years, could be land, building or both and will generally involve the payment of an ongoing rent and possible service charges.

General principles for acquisition

The stages of preparation leading to *any* acquisition should include the following: -

- *Asset Management Strategy* – The Asset Management Strategy makes allowance for growth through investment and reinvestment. This growth could be achieved through the acquisition of assets.
- *HRA Business Plan* – The Housing Revenue Account Business plan relies on an element of growth and the replacement of property lost through the Right To Buy process. This growth can be achieved through development or acquisition or a mixture of both.
- *Financial Consultation* – at an early-stage advice is to be sought from the Assistant Director, Finance on any proposed acquisitions to determine budget availability.
- *Legal Consultation* – at an early-stage legal advice will be needed to ensure that the Council is able to make the acquisition and to develop a detailed understanding of asset to be acquired.
- *Inspection, valuation and potential future use* – before entering into any negotiations an inspection is to take place to consider condition, value, and potential and to identify any other issues which may affect the decision to acquire.
- *Valuations* - Valuations will generally be conducted using the RICS Red Book methodology and in line with CIPFA guidelines.

Acquisition Methods

It is likely that any acquisitions that have been identified will be progressed through one of the following routes: -

Negotiation

In most cases it is likely that the Council will express an interest in acquiring an asset from the current owner and will seek to enter into direct commercial negotiations with the owner.

Tender

Some assets are sold through either a formal or informal tender process whereby expressions are made by way of a sealed bid.

Auction

It is not uncommon for land in particular to be disposed of through an auction process, it is more common for poorly performing buildings to be disposed of through auction.

Partnership

There may be occasions when a land owner seeks to work in partnership with the Council on the delivery of a project that will involve the Council acquiring part or all of the arising asset.

Routine Operational

Occasionally the Council will need to acquire either the Freehold or a long lease interest in an asset for operational purposes such as to enable access to maintain an asset already in Council ownership. Any such acquisitions will be identified by the relevant Directorate who will set out the reason for the acquisition and any identified budgets. The negotiation process will be completed by the Assets Team with input from external legal and valuation providers.

Strategic Regeneration

Members, The Regeneration Board or Asset Strategy Steering Group may from time to time identify land or building assets that will need to be acquired for the purposed of delivering a regeneration or growth project.

Governance for such acquisitions must form part of the governance arrangements specific to the project.

Housing

There is a requirement for the housing stock portfolio to be replaced as and when existing properties are sold through the Right To Buy Process. Funding is available through the housing 1-4-1 capital receipts pool and changes to the way in this can be spent has placed an emphasis on additionality as opposed to recycling of property. This means that growth will need to be weighted more towards in-house development as opposed to open-market acquisition.

There remains an element of the 1-4-1 receipts that can be spent on acquiring property on the open-market; there may also be the need to acquire land on which to build housing property. The sums available are subject to regular review

For all housing acquisitions there will be consultation with the teams responsible for tenancy management and lettings which in conjunction with the Asset Management Strategy will determine the type and location of properties to be acquired. The budgets for housing acquisitions will be set based on the need to spend 1-4-1 receipts; this in turn will determine the scale of any acquisitions programme. An upper limit on purchase price for existing properties will be agreed and this will be reviewed regularly in line with market conditions. A detailed 50-year whole-life costing plan will be produced for all acquisitions and only those properties showing a break-even or payback at 50-years will be considered for acquisition. The acquisition process will be conducted by negotiation with offers being based on the valuation of an RICS valuer; all legal work will be carried out by an external conveyancing specialist.

For new-build projects that require the acquisition of land the financial and viability and return on investment modelling will factor in the land acquisition and remediation costs.

All negotiation for the acquisition of land and or property will be carried out on a 'Subject to Contract' basis.

Compulsory Purchase Orders

The Council may from time to time exercise its Compulsory Purchase Order powers in order to carry out a growth or regeneration project. The decision to make use of these powers must be made by Cabinet and the statutory process must be followed.

Extinguishing of Leases

There may be occasions where for strategic reasons the Council needs to extinguish leases before they expire; this type of action will have to be done through a process of negotiation and is likely to result in compensation having to be paid to the tenant. Before commencing with negotiations legal advice must be sought and potential cost implications factored into the planning of any projects that rely on the lease being extinguished.

Roles & Responsibilities

The Council's Scheme Of Delegation sets out the delegated authorities in relation to the acquisition of assets and the entering into of lease agreements.

Overall responsibility for the management of Assets including the disposal, acquisition and leasing in or out of assets is with the Assets Team.

Key Roles

Asset Strategy Steering Group – oversight and approval of the Asset Management Strategy. Recommendation of assets required for regeneration purposes for approval by Cabinet.

Regeneration Board – identification of assets that need to be acquired in order to facilitate and deliver regeneration projects and for advising on the most appropriate route for delivering regeneration projects (from an assets perspective)

Assistant Director, Assets – overall accountability for the development and delivery of the Asset Management Strategy and responsibility for the services undertaking disposals. Responsible for the acquisition of replacement housing property.

Property Services Officer – responsible for undertaking negotiations and valuations in relation to operational acquisitions and for overseeing external valuation and legal services for other acquisitions with the exception of housing and regeneration.

Valuations – the services of external RICS certified valuers should be sought to provide valuations for the acquisition of assets.

Land & Building Assets Acquisition Policy

Legal – legal matters will be dealt with through the shared service arrangement with South Staffordshire District Council. The lead officer for the shared service at SSDC will determine whether or not to outsource the legal work to a more specialist legal firm.

Governance

Cabinet will be responsible for approving the Asset Management Strategy and the Acquisitions Policy.

The Council's Scheme of Delegation sets out the nature and financial limits on the acquisition of assets.

Budgets associated with the acquisition of assets should be identified through the normal budget setting process for approval at Full Council.

The Asset Strategy Steering Group will approve the content and scope Asset Management Strategy, including the identification of any potential assets that would need to be acquired in order to deliver housing or regeneration projects prior to formal approval by Cabinet.

The Regeneration Board will be responsible for identifying assets that would need to be acquired for regeneration purposes.

Reference Documents

Asset Management Strategy

Net Zero Carbon Assessment

It is anticipated that any properties acquired by the Council would have a suitable energy performance rating; however this policy may not directly contribute towards Net Zero Carbon.

Community Impact Assessment

Part 1 – Details	
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Acquisition of land and building assets
Date Conducted	June 2024
Name of Lead Officer and Service Area	Paul Weston, Assistant Director, Assets
Commissioning Team	Asset Strategy Group

Land & Building Assets Acquisition Policy

(if applicable)		
Director Responsible for project/service area	Rob Barnes, Executive Director, Communities	
Who are the main stakeholders	Residents of Tamworth Businesses in Tamworth	
Describe what consultation has been undertaken. Who was involved and what was the outcome	This forms part of the wider Asset Management Strategy which has been considered by the Asset Strategy Steering Group	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	An acquisitions policy is considered to be good practice as part of active asset management. There are provisions within the Local Government Act to deal with disposal of land and property assets by Local Authorities.	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input checked="" type="checkbox"/>
	A Strategy/Policy/Procedure	<input checked="" type="checkbox"/>
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	<input type="checkbox"/>
	Existing	<input type="checkbox"/>
	Being reviewed	<input checked="" type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

This relates to the acquisition of land and building assets by the Council.

Who will be affected and how?

This is most likely to impact on residents and businesses of Tamworth and those looking to dispose of or who hold land and/or property in Tamworth.

This policy sets out the criteria, process and governance surrounding the acquisition of land and building assets.

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

Asset Management Strategy

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Disability	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Gender Reassignment	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Marriage & Civil Partnership	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Pregnancy & Maternity	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Race	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Religion or belief	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Sexual orientation	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Sex	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group..
Gypsy/Travelling Community	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Those with Caring/Dependent responsibilities	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Those having an offending past	X	<input type="checkbox"/>	Opportunity to dispose of land and/or property would generally be open to this group; however some people convicted of financial related crimes may be excluded.
Children	X	<input type="checkbox"/>	Persons under the age of 18 would not be able to enter into a legal agreement to dispose of land or property.
Vulnerable Adults	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Families	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.
Those who are homeless	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group. (it should be recognised that if this group holds land and/or property it may impact on their homeless status)
Those on low income	X	<input type="checkbox"/>	Opportunity to dispose of land and/or property open to this group.
Those with Drug or Alcohol problems	<input type="checkbox"/>	X	Opportunity to dispose of land and/or property open to this group.

Land & Building Assets Acquisition Policy

Those with Mental Health issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Opportunity to dispose of land and/or property open to this group subject to them having the capacity to enter into a legal agreement.
Those with Physical Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Opportunity to dispose of land and/or property open to this group.
Other (Please Detail)	<input type="checkbox"/>	<input type="checkbox"/>	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk
Children	Persons under the age of 18 are not able to enter into legal contracts to dispose of land/property or to enter into a lease.	None – this is a matter outside of our control.
Those having an offending past	It is possible that someone convicted of financial crimes would be excluded from entering into a legal agreement to dispose of land/building assets.	None – this is a matter outside of our control.
Those with Mental Health Issues	Certain people may not have the capacity to enter into legal agreements for land/property.	Where a person is legally deemed not to have capacity this would be outside of our control. As with any other potential purchaser/tenant they would be advised to seek financial and legal advice before entering into agreements.

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
Children	No action as this is outside of our control.	N/A	N/A	N/A
Others	No action required. Provided people have the financial means and capacity to enter into a legally binding agreement the policy is open to them.	Paul Weston	N/A	N/A

Date of Review (If applicable)

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LAND & BUILDING ASSETS DISPOSAL POLICY

Document Status: Draft

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Updated:

Owner: Assistant Director, Assets

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Name	Title	Approved
	Asset Strategy Steering Group	?
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Introduction

This policy relates to the disposal of council owned land and property through sale of the freehold interest, granting of a long lease, granting of a short lease, granting of a license, or granting of a 'tenancy at will'.

The policy also addresses disposal by way of a statutory forced disposal, adverse possession, and the removal of restrictive covenants.

There are a number of reasons why the Council may consider disposing of land and property including: -

- Income generation
- Regeneration (Strategic)
- Community benefit
- Surplus to requirement (strategic)
- Changing operational demands
- Removal of a liability

This policy does not include disposal of council housing assets under the 'Right To Buy' legislation nor does it address the disposal of any other asset which would be dealt with through Financial Guidance documents.

Background

Tamworth Borough Council owns and manages a diverse portfolio of Assets which include property and land for a range of reasons including: -

- Operational property for the purposes of undertaking its business activities.
- Investment property for the purpose of generating income.
- Assets for community benefit including historic assets.
- Amenity and leisure land for public use.

This policy is directly linked to the Council's Asset Management Strategy which aims to define the purpose for which property is held, how its performance is assessed and how retention, adaptation or disposal are considered.

The purpose of this policy is to provide a framework for the disposal of land and building assets as a means of maximising income, limiting liability and meeting the changing demands of the Council and the residents of Tamworth. The policy aims to provide a transparent methodology on the process for land and building asset disposals.

Local authorities are subject to certain constraints when disposing of land and building assets in their ownership. Some of these constraints are enshrined in law; others arise because of a general expectation that local authorities should be seen to act fairly when disposing of land.

Under s123 of the Local Government Act 1972 local authorities have powers to dispose of property in any manner they wish, subject to certain constraints which may include a requirement to obtain the consent of the Secretary of State.

The Local Government Act 1972 s123 details the requirement for Councils not to sell land for a consideration less than the best consideration reasonably obtainable unless the Secretary of State's consent was obtained. There are however some exceptions; under the General Disposal Consent (England) 2003 this requirement for specific approval no longer applies provided any undervalue does not exceed £2 million and the transaction is considered by the local authority to help secure the promotion or improvement of the economic, social or environmental well-being of its area. Any disposals at such an undervalue will need Cabinet approval. All valuations will need to be carried out in accordance with the requirements of the Order. There are additional requirements under the Localism Act in relation to Assets of Community Interest.

Approach

Definitions

Under the guidance of the s123 Local Government Act 1972 disposal is considered to be one of the following: -

- A freehold transfer
- A grant of a term exceeding seven years
- The assignment of a term which, at the date of the assignment, has more than seven years to run.
- A grant of an easement/right of way over land/property

General principles for disposal

The stages of preparation leading to *any* disposal should include the following: -

- *Asset Management Strategy* – So far as possible any surplus or underperforming assets will be identified through the Asset Management Strategy and considered for disposal by the Asset Strategy Steering Group. Assets identified for disposal to facilitate regeneration projects will be brought to the Asset Strategy Steering Group by the Regeneration Board for consideration.
- *Internal Consultation Process* - Relevant Directorates and Ward Members are to be consulted and given an opportunity to comment on proposed disposals. Consideration is to be given to any comments and/or proposals for alternatives to disposal.

Land & Building Assets Disposal Policy

- *Legal Consultation* – at an early stage legal advice on title and any rights or obligations which might affect the asset is to be sought. If it is intended to include covenants or other restrictions in the disposal, legal advice should be obtained prior to negotiations. Any potential obligation under the *Crichel Down Rules* to offer the land back to a former owner will also be considered as part of this process.
- *Inspection, valuation and potential future use* – before entering into any negotiations an inspection is to take place to consider condition, value, and development potential and to identify any other issues which is likely to compromise the disposal or impact on the value of the asset.
- *Identification Of Development Potential* – Any asset identified as having the potential for development should be considered by the Regeneration Team before progressing any negotiations for disposal. Consideration should be given to the Council's strategic aims and professional advice is to be sought on the best approach for disposal so as to achieve the best outcome.
- *Valuations* - Valuations will generally be conducted using the RICS Red Book methodology and in line with CIPFA guidelines. For larger disposals consideration will be given to matters such as 'hope value' and overage.
- *Method of disposal* – The method of disposal and process for obtaining approval will vary based on the nature and value of the disposal and is set out in more detail in the section of *roles & responsibilities*.
- *Fees* – The approach to the apportionment of fees will vary based on the nature of the disposal. For routine operation disposal, lease extensions, leasehold reversions and any forced sales the Council should look to recover all fees from the other party. For all other disposals fees should be considered on a commercial basis and take account of external legal and professional advice.

Reinvestment

Where an asset is disposed of resulting in a capital receipt the proceeds of the disposal should in the first instance be ringfenced for reinvestment into existing assets of a similar nature. Where Town Centre assets are disposed of the proceeds are to be reinvested into the Town Centre.

Disposal Methods

There are a variety of options that can be considered for the disposal of assets; the method adopted should be that considered to be most suited to the nature of the disposal.

Negotiated

This approach is most likely to be used for the disposal of small parcels of land where there is a single party with legitimate interest, usually the owner of the property adjoining the land in question. Negotiation can only be used for disposals of land with a value of £10,000 or less. Formal valuations are to be undertaken and legal advice will be sought.

Sealed Bids

The use of a 'sealed bid' process whilst permissible is not advisable and with the use of technology in tendering has become less relevant. It is most

appropriate for use on the sale of smaller plots of lower value but where there is potentially more than one party who could claim to have legitimate interest and where those parties are largely residential as opposed to commercial interests.

Formal Tender

This approach is likely to apply where assets have been identified as being surplus to requirement or have been identified for regeneration purposes not being delivered by the Council.

Formal tender should be used for all assets with a value in excess of £10,000 making use of the In-Tend system but which have no agreed development or regeneration plan attached to them.

Where the disposal of an asset relates to a site that has a development brief or regeneration plan attached to it external advice is to be sought on the most appropriate and advantageous method of disposal.

Auction

Where an asset has been identified as being surplus to requirement but is not considered to be suitable for development or regeneration, disposal through auction should be considered. This is likely to apply to assets that have been identified as surplus because they are underperforming or have become derelict.

Partnership

It is likely that some disposals will take place by way of partnership working with external bodies. This type of disposal will need to be subject to a detailed options and financial appraisal process.

Routine Operational

A routine operational disposal will in most cases arise by way of an application received from the adjacent owner(s) to purchase the freehold or leasehold interest (in excess of 7 years) of a small area of land or property with no strategic objective. Where it has been assessed that there is no development value or open market opportunity and the asset has an open market value of less than £10,000, 'confined' negotiations with the adjacent owner(s) can commence with a view to achieving the most advantageous financial outcome.

In cases where there is more than one other contiguous land holding consideration should be given to alternative disposal strategies (e.g. sealed informal tenders) to obtain the best consideration.

The Council holds numerous small parcels of land across the borough, many of which are only a few square metres in area, which are sought after by local residents. This is usually to increase their own garden space, to accommodate an extension to their property, or to give access to land suitable for development, not owned by the Council. As a rule, disposal of this type of land should not be considered, unless it satisfies one of the following criteria:

Land & Building Assets Disposal Policy

- The asset is desolate and derelict
- There is significant financial benefit to the Council through removal of further liability for maintenance or liability for the asset.

If one of the above apply, and after consulting with the list of consultees, a price suitable for the proposed use of the land will be agreed by the Assets Team, with the prospective purchaser, and the proposal to sell will be reported to Cabinet for approval prior to any formal agreement being given. If the land value exceeds £10,000 a formal and open disposal process must be used.

Strategic Regeneration

Members, The Regeneration Board or Asset Strategy Steering Group may from time to time identify land or building assets for use in wider strategic regeneration projects to be delivered by the Council, external agencies or through partnerships.

Disposal for strategic regeneration purposes is generally excluded from this policy and as such the most appropriate method of disposal should be given proper consideration as part of the project delivery plan. However due consideration must be given to the prevailing legislation relating to the disposal of assets.

Governance for such disposals must form part of the governance arrangements specific to the project.

Surplus

Surplus assets will be identified through the Asset Management Strategy but will generally consist of assets that are no longer required due to operational changes, assets that are underperforming either physically or financially or assets that have been identified as a means of generating a capital receipt.

The recommendation for disposal will be made by the Asset Strategy Steering Group for consideration by Cabinet. Where disposal is approved specialist property advice is to be sought on valuations and on the most appropriate mechanism for the disposal process.

Housing

This policy excludes the sale of council housing through the Right To Buy process which is covered by legislation.

Sales of other council housing assets will be identified through the Asset Management Strategy and will generally consist of assets that are underperforming either physically or financially, assets that no longer meet the needs of the residents or assets that require investment that would not deliver a reasonable return on investment.

Other housing assets such as garage or parking areas may be considered for disposal if they are surplus to requirement and would not show a return on investment.

Where disposal is approved specialist property advice is to be sought on valuations and on the most appropriate mechanism for the disposal process.

Other

Open Space

Land identified as being public open space should only be considered for disposal as a means of releasing land for strategic development and regeneration purposes. Any disposal of public open space will be subject to consultation with appropriate Elected Members and the wider community. Any disposal of public open space must be approved by Cabinet.

Release of covenant

From time to time the Council will be approached by a land or property owner requesting the release of a restrictive covenant. Each request is to be considered on its merits with consideration being given to why the restrictive covenant exists and whether its intended purpose still applies. Legal advice is to be obtained in all instances.

Where there is no reason for the restrictive covenant to be in place and where the legal advice supports it the covenant should be removed. All costs associated with the removal of a restrictive covenant should be met by the person(s) seeking removal.

Where the intended purpose of the restrictive covenant remains, it should not be removed.

Consideration must be given as to whether or not there is any financial value to be realised from the release of a covenant. The primary consideration must be the intended purpose of the covenant, however where the financial return outweighs the other benefit of the covenant negotiations can commence once approved by the Assistant Director, Assets

Adverse Possession/Appropriation

From time-to-time Land Registry will notify the Council of an adverse possession claim relating to an asset registered to or believed to be in the title of the Council.

Upon receipt of any such notifications consultation with the legal team and appropriate directorate are to commence with a view to establishing a defence against the claim. It is essential that the information is gathered, and defence submitted within the required timescales. The Assistant Director, Assets is to be informed of any notices for adverse possession claims.

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Where Council owned assets appear to have been appropriated by third parties contact shall be made by the Assets team demanding that the appropriated asset is returned to its original state. Should the third party not comply with the demand the matter shall be passed to the legal team for formal action to be taken.

Assets of Community Value

A separate policy exists in relation to Assets of Community Value as set out in the Localism Act 2011. Any Council owned assets identified as Assets of Community Value being considered for disposal must follow this process.

Spontaneous Offer

The Council will occasionally receive a spontaneous offer for an asset that has not previously been identified as being either surplus or for regeneration purposes. The approach take in relation to spontaneous offers will depend on the nature of the asset and its estimated value. Where there is only likely to be a single interested party and the land is valued at less than £20,000 the 'Routine Operational' approach can be taken. Where there are potentially multiple interested parties and/or the asset value exceeds £20,000 the 'Surplus' approach is to be applied.

Compulsory Purchase Order (CPO) or Statutory Acquisition

The Council may receive an application for some form of statutory asset acquisition; this will normally be in relation to a major infrastructure or civil engineering project. Upon receipt of any such notice the Assistant Director, Assets must be informed. Cabinet and Ward Members are to be notified and suitable legal and valuation advisers are to be appointed to protect the financial and reputational interests of the Council.

The Council, through its specialist advisers will work to achieve the most favourable financial and physical outcomes for the Council and its residents.

Leasehold Extensions

There is provision in law for long leases to be extended. Any tenant with a long lease must apply for a lease extension using the formal approach. The Council will appoint a specialist valuer and legal advisor to undertake the valuation of the lease extension and advise on the legal provisions around any such lease extension.

A lease extension must be granted within a reasonable timeframe with the premium being paid being calculated in line with current valuation methods. All valuation and legal fees are to be met by the purchaser.

Leasehold Reversion

The Council currently owns a number of residential properties that were sold on a leasehold basis. There is a provision in law for leaseholders to acquire the Freehold interest in their property subject to the payment of a premium. Leaseholders must apply for a Leasehold Reversion using the formal approach. The Council will appoint a specialist valuer and legal advisor to

Land & Building Assets Disposal Policy

undertake the valuation of the reversion and advise on the legal provisions and deal with any Land Registry documentation.

The reversion must be granted within a reasonable timeframe with the premium being paid being calculated in line with current valuation methods. All valuation and legal fees are to be met by the purchaser.

Residential Leasehold (former Council Housing)

There is provision for Leaseholders in a residential block to take over management of the block or to acquire the Commonhold or Freehold interest in the block. Disposal through this route is governed by separate legislation which will be applied when considering such disposal requests.

Roles & Responsibilities

The Council's Scheme of Delegation sets out the delegated authorities in relation to the disposal of assets and the granting of leases and licenses along with the setting of investment rents.

Overall responsibility for the management of Assets including the disposal, acquisition and leasing of investment property is with the Assets Team.

Key Roles

Asset Strategy Steering Group – oversight and approval of the Asset Management Strategy. Recommendation to Cabinet for the assignment of assets to be identified as surplus, and approval of assets identified for regeneration purposes.

Regeneration Board – identification of assets suitable for inclusion in regeneration projects and for advising on the most appropriate route for delivering regeneration projects (from an assets perspective)

Assistant Director, Assets – overall accountability for the development and delivery of the Asset Management Strategy and responsibility for the services undertaking disposals.

Property Services Officer – responsible for undertaking negotiations and valuations in relation to operational disposals and for overseeing external valuation and legal services for other disposals.

Ward Members – consultees for potential disposals

Street Scene Operations Manager – key consultee in applications for the acquisition of small plots of land.

Valuations – for operational disposals valuations will be carried out by the Property Services Officer. For other disposals external specialist will be procured to provide valuation services.

Land & Building Assets Disposal Policy

Legal – legal matters will be dealt with through the shared service arrangement with South Staffordshire District Council. The lead officer for the shared service at SSDC will determine whether or not to outsource the legal work to a more specialist legal firm.

Governance

Cabinet will be responsible for approving the Asset Management Strategy and the Disposals Policy.

The Council's Scheme of Delegation sets out the nature and financial limits on the disposal of assets.

The Asset Strategy Steering Group will approve the Asset Management Strategy, including the identification of surplus and regeneration properties before final approval by Cabinet. The Asset Strategy Steering Group will also be responsible for the ongoing review of Surplus and Regeneration assets before final approval by Cabinet

The Regeneration Board will be responsible for identifying assets to be considered for regeneration purposes.

Operational Disposals of low value will be reported by way of a Scheme of Delegation report through the ModGov system. Larger value, strategic and regeneration disposals will be reported through the Cabinet process.

Consultation will take place with Ward Members before disposals are presented to Cabinet for consideration.

Reference Documents

Local Government Act 1972 (s123)

Localism Act 2011

Asset Management Strategy

General Disposal Consent (England) 2003

Net Zero Carbon Assessment

It is not anticipated that this policy will have a direct impact on the Council's Net Zero Carbon targets, however poorly performing property is more likely to be identified for disposal through the Asset Management Strategy and Asset Management Plans.

Part 1 – Details		
What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Disposal of land and building assets	
Date Conducted	June 2024	
Name of Lead Officer and Service Area	Paul Weston, Assistant Director, Assets	
Commissioning Team (if applicable)	Asset Strategy Group	
Director Responsible for project/service area	Rob Barnes, Executive Director, Communities	
Who are the main stakeholders	Residents of Tamworth Businesses in Tamworth	
Describe what consultation has been undertaken. Who was involved and what was the outcome	This forms part of the wider Asset Management Strategy which has been considered by the Asset Strategy Steering Group	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	A disposals policy is considered to be good practice as part of active asset management. There are provisions within the Local Government Act to deal with disposal of land and property assets by Local Authorities.	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input checked="" type="checkbox"/>
	A Strategy/Policy/Procedure	<input checked="" type="checkbox"/>
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x' which applies	New	<input type="checkbox"/>
	Existing	<input type="checkbox"/>
	Being reviewed	<input checked="" type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

This relates to the disposal of land and building assets in the ownership of the Council. Disposal may be by way of sale of Freehold, granting of long leases, granting of short leases, granting of licenses or transfer to other parties.

Land & Building Assets Disposal Policy

Excluded from this is disposal through the Right To Buy process which is a statutory process.

Who will be affected and how?

This is most likely to impact on residents and businesses of Tamworth and those looking to acquire land and/or property in Tamworth.

This policy sets out the criteria, process and governance surrounding the disposal of land and building assets.

Are there any other functions, policies or services linked to this impact assessment?

Yes X No

If you answered 'Yes', please indicate what they are?

Asset Management Strategy
Acquisitions Policy

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Disability	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Gender Reassignment	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Marriage & Civil Partnership	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Pregnancy & Maternity	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Race	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Religion or belief	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Sexual orientation	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Sex	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Gypsy/Travelling Community	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Those with Caring/Dependent responsibilities	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Those having an offending past	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Children	X	<input type="checkbox"/>	Persons under the age of 18 would not be able to enter into a legal agreement to acquire land or property.

Land & Building Assets Disposal Policy

Vulnerable Adults	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Families	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Those who are homeless	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Those on low income	X	<input type="checkbox"/>	Opportunity to acquire land and/or property open to this group subject to them being able to meet the financial commitments associated with any acquisition.
Those with Drug or Alcohol problems	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Those with Mental Health issues	X	<input type="checkbox"/>	Opportunity to acquire land and/or property open to this group subject to them having the capacity to enter into a legal agreement.
Those with Physical Health issues	<input type="checkbox"/>	X	Opportunity to acquire land and/or property open to this group.
Other (Please Detail)	<input type="checkbox"/>	<input type="checkbox"/>	

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk
Children	Persons under the age of 18 are not able to enter into legal contracts to acquire land/property or to enter into a lease.	None – this is a matter outside of our control.
Those on low income	Persons on low income may not be in a position to acquire land/property or to lease property.	Limited – people will need to demonstrate that they have the financial means to meet the commitment of acquisition/lease. People will be advised to seek financial and legal advice before entering into agreements.
Those with Mental Health Issues	Certain people may not have the capacity to enter into legal agreements for land/property.	Where a person is legally deemed not to have capacity this would be outside of our control. As with any other potential purchaser/tenant they would be advised to seek financial and legal advice before entering into agreements.

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome
Children	No action as this is outside of our control.	N/A	N/A	N/A
Others	No action required. Provided people have the financial means and capacity to enter into a legally binding agreement the policy is open to them.	Paul Weston	N/A	N/A

Date of Review (If applicable)

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Community Impact Assessment

Part 1 – Details

What Policy/ Procedure/ Strategy/Project/Service is being assessed?	Asset Management Strategy	
Date Conducted	September 2024	
Name of Lead Officer and Service Area	Paul Weston - Assets	
Commissioning Team (if applicable)		
Director Responsible for project/service area	Executive Director - Communities	
Who are the main stakeholders	Existing tenants of Council owned assets including housing tenants. Potential new tenants of Council owned assets including housing tenants. Visitors to Tamworth Residents of Tamworth Businesses operating in and around Tamworth	
Describe what consultation has been undertaken. Who was involved and what was the outcome	Internal consultations with Asset Strategy Steering Group Review by Members through the Scrutiny process.	
Outline the wider research that has taken place (E.G. commissioners, partners, other providers etc)	It is good practice to have an Asset Management Strategy and associated set of supporting policies. Research has been done by looking at the sector in general, the Council has also worked with external consultants on the development of previous strategies which this builds upon.	
What are you assessing? Indicate with an 'x' which applies	A decision to review or change a service	<input type="checkbox"/>
	A Strategy/Policy/Procedure	<input checked="" type="checkbox"/>
	A function, service or project	<input type="checkbox"/>
What kind of assessment is it? Indicate with an 'x'	New	<input type="checkbox"/>
	Existing	<input type="checkbox"/>

which applies		
	Being reviewed	<input checked="" type="checkbox"/>
	Being reviewed as a result of budget constraints / End of Contract	<input type="checkbox"/>

Part 2 – Summary of Assessment

Give a summary of your proposal and set out the aims/ objectives/ purposes/ and outcomes of the area you are impact assessing.

This is a strategy document that sets out to understand why the council has building assets, how it utilises and manages those built assets, the investment requirements and income opportunities arising from built assets and set out to identify how built assets fit with wider corporate aspirations.

Who will be affected and how?

This strategy is largely for internal management purposes but ultimately impacts on current and future tenants as well as those in the surrounding areas who support or who are influenced by assets owned by the council. There will also be an impact on staff working for the council and on visitors to Tamworth.

Are there any other functions, policies or services linked to this impact assessment?

Yes No

If you answered 'Yes', please indicate what they are?

Acquisitions policy
Disposals Policy
Net Zero Strategy
Financial policies

Part 3 – Impact on the Community

Thinking about each of the Areas below, does or could the Policy function, or service have a direct impact on them?

Impact Area	Yes	No	Reason (provide brief explanation)
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct

			impact arising from this that would adversely affect this group.
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Gender Reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Marriage & Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Pregnancy & Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Gypsy/Travelling Community	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct

			impact arising from this that would adversely affect this group.
Those with Caring/Dependent responsibilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Those having an offending past	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Children	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Vulnerable Adults	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Families	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Those who are homeless	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Those on low income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Those with Drug or Alcohol problems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Those with Mental Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct

			impact arising from this that would adversely affect this group.
Those with Physical Health issues	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.
Other (Please Detail)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is a high-level strategic document that sets out the Councils broad approach to owning and managing assets. There is no direct impact arising from this that would adversely affect this group.

Part 4 – Risk Assessment

From evidence given from previous question, please detail what measures or changes will be put in place to mitigate adverse implications

Impact Area	Details of the Impact	Action to reduce risk

Part 5 - Action Plan and Review

Detail in the plan below, actions that you have identified in your CIA, which will eliminate discrimination, advance equality of opportunity and/or foster good relations.

If you are unable to eliminate or reduce negative impact on any of the impact areas, you should explain why

Impact (positive or negative) identified	Action	Person(s) responsible	Target date	Required outcome

Date of Review (If applicable)

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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