

Teignbridge District Council
Executive
3 October 2023
Part i

Support for Care Leavers

Purpose of Report

To notify members of the discussions that have been had with Devon County Council and the other district authorities in Devon around producing a package of support for Care Leavers in recognition of our shared corporate parenting responsibilities. The proposed package will include a Council Tax Care Leaver Policy to be drafted and adopted and the introduction of free leisure membership for our leisure centres, and work experience opportunities.

To request that members recommend adoption, in principle, of a package of support for Care Leavers within the Teignbridge district.

Recommendation(s)

The Executive RECOMMENDS to Council the adoption, in principle, of a Council Tax support offer for Care Leavers which will incorporate a council tax discount, free membership to our leisure centres and work experience opportunities.

Financial Implications

The costs of the scheme are highlighted in 2.10, 2.11 and section 5.

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Legal Implications

See section 6 below.

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Risk Assessment

Risks are set out in 7.1
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Environmental/ Climate Change Implications

See 8.1 below – there are no environmental/climate implications

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Executive Member

Cllr Richard Keeling – Executive Member for Corporate Resources
Cllr John Nutley – Executive Member for Open Spaces, Leisure, Sport, Resorts and Tourism
Cllr Martin Wrigley – Leader and Executive Member for Strategic Direction

Appendices/Background Papers

Appendix A – Equality Impact Assessment

1. Introduction

1.1 The Children and Social Work Act 2017 introduced a set of corporate parenting principles, which comprise of seven needs that local authorities in England must have regard to whenever they exercise a function in relation to looked-after children or care leavers. These include:

- to act in the best interests, and promote the physical and mental health and well-being, of those children and young people
- to encourage those children and young people to express their views, wishes and feelings
- to take into account the views, wishes and feelings of those children and young people
- to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
- to promote high aspirations, and seek to secure the best outcomes, for those children and young people
- for those children and young people to be safe, and for stability in their home lives, relationships and education or work; and
- to prepare those children and young people for adulthood and independent living

1.2 These corporate parenting principles for 'looked after' children and care leavers stress the importance of joint working in supporting care leavers. At the Devon Strategic Corporate Parenting Board, work is underway to look at an enhanced approach to

corporate parenting. This includes improving access for those in the care system to work experience and employment and for when they leave care, to housing, as well as promoting physical and mental health and well-being. The Council has a statutory duty to co-operate with the County Council in making arrangements for improving the wellbeing of these individuals in Devon.

1.3 In July 2016, the government published “Keep on Caring” a strategy for supporting young people from care to independence which highlighted that awarding Council Tax discounts to this group was best practice.

1.4 Research has been undertaken by South Hams Council that shows Devon is currently an outlier nationally in not awarding a Council Tax discount to all care leavers as of right. According to this research, the vast majority of two-tier areas now apply a discount up to the care leaver’s 25th birthday.

1.5 In February 2018 the Government published “Applying corporate parenting principles to looked-after children and care leavers”. The guidance identifies specific service areas including local tax collection and delivery of leisure and recreation where local authorities may consider providing a differentiated service to looked-after children or care leavers.

1.6 Following discussions with County and endorsement from the DfE National Adviser for Care Leavers this report proposes a support offer for Care Leavers which includes a Council Tax discount, free leisure centre membership and work experience opportunities. If ‘in principle’ approval is given to the proposal the final policy will be submitted to Full Council for approval prior to implementation.

2. Support Offer – Council Tax

2.1 Care leavers are considered a particularly vulnerable group for Council Tax debt. Moving to independent accommodation and managing their finances for the first time is challenging, as care leavers do so without the family support and the wider network that most young people can rely on, and indeed take for granted.

2.2 By awarding a discretionary council tax discount, we can help care leavers manage the transition to adulthood offering financial assistance as many parents do as their children move toward independence.

2.3 In order to ensure uniformity of approach, the Devon billing authorities (district councils) have been working with Devon County Council to devise a common Council Tax discount scheme which is proposed to be effective at the earliest opportunity.

2.4 There are a number of ways in which support may be awarded. One is via the Council’s Council Tax Reduction Scheme under Section 13A(2)(b) of the Local Government Finance Act 1992 (as amended), another is via the Exceptional Hardship Scheme, or alternatively via the Council’s discretionary discount powers under Section 13A(1)(c) of the same Act. We are in the process of determining which approach is preferred based on system capabilities and administrative requirements but the amount of discount awarded to the care leavers will be the same regardless of approach.

2.5 It should be noted that if the scheme is delivered via the Council Tax Reduction Scheme this will require public consultation prior to adoption.

2.6 It is proposed that the Council will award a council tax discretionary discount of 100% up to the care leaver's 25th birthday. The discount will be awarded after the entitlement to all other discounts and exemptions has been assessed. The discount will only apply to care leavers living in Devon, with Devon County Council supporting the approximately 269 care leavers who live outside of the county.

2.7 By taking a uniform approach, we will be supporting all Devon care leavers by implementing a scheme which does not stigmatise them and provides a simple process which means all care leavers can access support.

2.8 It should be noted that the success of the scheme is contingent on the Council (and indeed all districts) receiving accurate data from Devon County Council on a timely basis, Devon County Council has committed to provide the appropriate data and updates on any changes on a monthly basis

2.9 The latest information provided by County confirms that there are 89 care leavers living in Teignbridge. Of these, 31 have a council tax liability to pay amounting to £19,000.

2.10 Discussions are still being had with County as to how the cost of the scheme is borne but based on number of current care leavers within the Teignbridge district the maximum cost to Teignbridge would be in the region of £19,000 per annum (if Teignbridge bear full cost of the scheme) possibly reducing to around £2,390 (if County and other preceptors agree to fund according to precept share).

2.11 It should be noted that if we use Council Tax Reduction or Exceptional Hardship to deliver the scheme the cost stays within the Collection Fund account and is split in the usual way between all preceptors. This reduces the anticipated income for 2023/24 and future years. If we deliver using our Discretionary Discount powers the full cost is taken out of the Collection Fund and is met by the Billing Authority in the Revenue Account creating a budget pressure. Subject to County and other preceptors agreeing to fund according to precept share this would require a manual financial adjustment.

2.12 Devon County Council has agreed to fully fund the discount for any care leavers who are living outside of Devon.

2.13 It is critical that County provides age profiled data to enable all districts to plan well in advance, providing an understanding of future costs to be factored into annual budget planning processes. Devon Heads of Revenues and Benefits will work together with Devon County Council children's services department to implement an effective and consistent process.

3. Support Offer – Leisure memberships

3.1 Leisure activities are identified in the statutory guidance as one of the areas local authorities should have regard to their corporate parenting responsibilities and may wish to offer a differentiated service to Care Leavers.

3.2 In recognition of this, it is proposed to offer a leisure subscription free of charge to Care Leavers up to the age of 25, which would provide access equivalent to the 'Jam Packed' membership, providing access to pools, classes, gym, courts, sauna and steam.

4. Support Offer – Work Experience placements

4.1 To help set high ambitions and aspirations the guidance suggests local authorities may wish to consider supporting work opportunities within their local authority.

4.2 Teignbridge already offers work experience opportunities for young people, with this considered on a case by case basis depending on Departments' capacity to host, and this can be extended to include care leavers up to the age of 25.

5. Financial implications

5.1 The financial impacts are based on County data and if the figures prove to be understated the costs for providing the council tax discount may increase. That being said, any understatement is unlikely to be significant so cost implications would be minimal. There is also an opportunity to review the support offer periodically (annual budget cycle) to ensure costs remain acceptable.

5.2 With regard to leisure memberships this would be viewed as a potential loss of income rather than a direct cost to the service, so could be reasonably accommodated. It is not currently known if any Care Leavers currently subscribe to our leisure centres so there may be a loss of income on converting these to free memberships. Given there are only 89 Care Leavers in the district in total, any loss of income is likely to be small.

6. Legal implications

6.1 It is considered that the approval, in principle, for this policy accords with the Council's statutory obligations.

6.2 Section 13A of the Local Government Finance Act 1992 (as amended) gives the Council discretion to reduce the amount of Council Tax payable by individual cases or by class.

6.3 However, care must be taken to avoid any unintentional direct or indirect discrimination against other sections of the community.

7. Risks

7.1 There may be a small potential risk of challenge from other groups who consider themselves to be in need and who do not receive similar support but as we have no corporate parenting responsibility to any other groups and our offer reflects government guidance and best practice any challenge would be unfounded.

8. Environmental/Climate Change Impact

8.1 No direct carbon/biodiversity impact arising from the recommendations

9. Equality implications

9.1 This proposal is designed to have a positive impact on a cohort of young adults (care leavers). We have considered the impact in terms of age and whilst the proposal is based on the 18 to 24 age range, age has been used as a criteria to accessibility and in a positive way.

9.2 Care leavers with protected characteristics will be entitled to this discount alongside all other care leavers.

9.3 Further information relating to equalities can be found in the EIA attached as appendix A

10. Conclusion

10.1 While the Children Act 2004 places the onus upon county councils to make arrangements for improving the well-being of children in its area, district councils have a duty to co-operate in those arrangements. Supporting with the cost of living through a council tax discretionary discount will help care leavers manage the transition to adulthood and help make their own home a safe and affordable space. The access to free leisure offer supports physical and mental health and well-being, with the Work Experience placement offer providing the opportunity to gain the skills, insight and experience necessary to help move into future employment and independent adulthood.