**Cheshire West and Chester Council Energy Rebate Discretionary Council Tax Rebate Policy**

**Policy note**

The government has announced a package of support known as the Energy Bills Rebate to help households with rising energy bills, worth £9.1 billion in 2022-23. This includes:

* A £200 discount on their energy bill this autumn for domestic electricity customers in Great Britain. This will be paid back automatically over the next 5 years.
* A £150 non-repayable rebate for households in England in council tax bands A to D, known as the Council Tax Rebate.
* £144 million of discretionary funding for billing authorities to support households who are in need but are not eligible for the Council Tax Rebate, known as the Discretionary Fund.

This policy sets out the eligibility criteria for the discretionary funding to support households who are in need but are not eligible for the Council Tax Rebate as they occupy properties in council tax bands E to H and those where the energy bills payers are not liable for council tax.

1. **Government guidance**
   * In line with government guidance the discretionary scheme Cheshire West and Chester Council can determine locally how best to make use of funding to provide payments to households who are energy bill payers.
   * This could include households living in property valued in bands E – H that are on income related benefits or those where the energy bills payers are not liable for council tax.
   * Occupants of class M (student halls) are unlikely to be eligible for discretionary support unless they are exposed to rising energy prices in a similar way to other households.
   * Discretionary support should not be offered to occupants of property in exemption class O, where the Ministry of Defence will provide cost of living support.
   * Unlike the Main Scheme for eligible residents of properties in band A-D who will receive £150 based on occupancy on the 1 April 2022. The Discretionary CTAX Rebate Scheme can be more flexible in awards ‘up to’ £150.00 per household.
2. **Who is eligible for the discretionary funding?**
   1. Cheshire West and Chester Council’s scheme will have two phases, this is to ensure that the funding reaches as many residents as possible

**Phase 1**

* All households in receipt of Council Tax Reduction in Band E – H on 1 April 2022 will receive £150.
* All households in Band E – H qualifying for a Severe Mental Impairment Exemption on 1 April 2022 will receive £150.
* All households in Band E – H qualifying for a Carer disregard on 1 April 2022 will receive £150
* All households in Band F – H qualifying for a disablement band reduction on 1 April 2022 will receive £150.

*(those in Band E properties eligible for disablement band reduction will be picked up in band D)*

* All households in receipt of full Council Tax Reduction, in any Band, on 1 April 2022 will receive an additional ‘top up’ of £30.
* Households who have a liability for rent but not Council Tax, and are also liable for their own energy use (i.e. prepayment meter) will receive a payment of £60.

**Phase 2**

* 1. Should there be residual funding following the six week application window a second phase of payments will be made.
     + This phase will target those who are in energy arrears and/or on low fixed incomes and have not received an award under the main scheme or phase 1.
     + An application window will be available, and awards made until the funding is exhausted on a first come first served basis.

1. **Eligibility Criteria**
   1. To receive a payment from the Discretionary Fund a resident must be in one of the categories listed in paragraph 2.2 above.
   2. Be liable to pay Council Tax within the borough on 1 April 2022 and only one award per property will be made with the exception of Houses in Multiple Occupation where a resident meets the above criteria.
   3. Those whose houses were occupied 1 April 2022 but not on Valuation List on the 1 April 2022 and subsequently receive an A to D assessment *may* receive a payment *but only whilst funds last*.
   4. Consistent with the main scheme, no award will be made to a local authority, a corporate body or other body such as a housing association, the government or governmental body.
2. **How will payment be made**
   1. As a general rule households will not need to apply through an online claim form for the discretionary energy rebate where it is identified Council Tax is paid by Direct Debit and up to date bank details are held.
   2. Where an eligible household does not pay by Direct Debit or is a zero balance property an online application will be required. Help will be available for residents who are unable to claim online please contact Cheshire West and Chester Council for support.
   3. Where an individual is responsible for their own energy use and residing in a House of Multiple Occupation a six week online application window will be open and they will be required to provide evidence to confirm they:-
      * Have a license/tenancy for the address they are occupying
      * They are responsible for their own energy use at the address.
3. **Prepayment checks**
   1. In accordance with central government guidance prepayment checks will be undertaken for all recipients of the discretionary rebate.
   2. Cheshire West and Chester Council reserves the right to refuse/clawback an award where it deems information provided has been done fraudulently or where it is subsequently identified that the payment should not have been made.
   3. Cheshire West and Chester Council reserves the right to not award an energy payment if it appears payment should be made to someone else e.g. not the liable council tax payer
4. **Additional information**
   1. Payments are Energy Rebate Payments and not Loans, and therefore will not require repayment, unless paid in error or where fraudulent activity is detected.
   2. Energy Rebate Payments income received by a household is not subject to tax.
   3. Cheshire West and Chester Council will maintain a record of rebate payment expenditure under this scheme, either through the council tax system and/or its own local support mechanisms such as Grant Approval.
   4. This assistance provided for the energy rebate payment will not affect the eligibility of recipients for other benefits including Council Tax Support.
   5. As this is a Discretionary Scheme there is no formal appeal against any decision Cheshire West and Chester Council will have an informal review process through a more senior or independent officer.
5. **Managing the risk of Fraud** 
   1. Cheshire West and Chester Council will not accept deliberate manipulation and fraud. Anyone who dishonestly provides false or misleading information in communication with any Council, including verbal communication, will be committing a criminal offence contrary to the Fraud Act 2006 and will be subject to a criminal investigation and criminal proceedings may be taken against them.
   2. All information is subject to internal and external audit checks, as well as Government bodies pre and post payment checks and will also be scanned for potential fraud with approved bodies.
6. **Sharing Information**
   1. By applying for an energy rebate payment all applicants give authority to Cheshire West and Chester Council to share data for efficient system administration (including within the Authority) and to protect the Public Purse, subject to the Data Protection legislation. This may include sharing data with other Local Authorities. The Local Authority Privacy Notice will be updated to reflect this.
   2. The Council will be required to share data with Government Departments for monitoring purposes, to protect the public purse and other reasons. By applying for a discretionary energy payment all applicants give authority for this.
   3. The Council is also required to provide open data and be transparent about the use of public funding. In accordance with Data Protection Guidelines, this energy payment data may be subject to being published on Council’s websites and also subject to Freedom of Information requests