



# GOOD PRACTICE NOTE

SUPPORTING THE IMPLEMENTATION OF  
COUNCIL TAX EXEMPTION FOR SCOTLAND'S  
CARE LEAVERS

October 2018

## Introduction

This practice note has been designed in collaboration with Scotland's local authorities to support them in their role as corporate parents, in the effective and consistent implementation of [The Council Tax \(Discounts\) \(Scotland\) Amendment Regulations 2018 \(SSI, 2018 No.39\) \(the Regulations\)](#).

The Regulations, which came into force on 1 April 2018, delegate powers to local authorities to administer an exemption in their area allowing [care leavers](#)<sup>1</sup> (up to the age of 26) to be exempt from paying Council Tax.

In line with the 'assumption of entitlement' and 'care proofing of policy' principles set out in the [Scottish Care Leavers Covenant](#)<sup>2</sup>, the introduction of the Regulations is welcomed as a good example of corporate parenting and leadership.

Consistent and effective implementation of public policy can be challenging, and this is particularly so in relation to services and provisions for Scotland's care leavers<sup>3</sup>. In response to feedback from a wide range of stakeholders, CELCIS, in association with the Scottish Care Leavers Covenant Alliance, hosted a roundtable workshop and practice exchange discussion on 5 September 2018.

This workshop brought partners together to share positive practice, share solutions to issues experienced, identify actions to ensure full and consistent implementation of the Regulations and to uphold the rights of eligible care leavers. Attendees included delegates from 13 local authorities, representatives from the Scottish Government, members of the Scottish Care Leavers Covenant Alliance, and care experienced young people.

This practice note is drawn from the discussion that ensued, and outlines key considerations and a range of measures for local authorities to take as corporate parents to ensure consistent and effective implementation of the regulations now established in law.

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<sup>1</sup> Children & Young People (Scot) Act 2014 <http://www.legislation.gov.uk/asp/2014/8/part/10/enacted>

<sup>2</sup> Scottish Care Leavers Covenant (2015) <https://www.scottishcareleaverscovenant.org/>

<sup>3</sup> McGhee et al (2014) Throughcare & Aftercare Services in Scotland's Local Authorities: A National Study <https://www.celcis.org/files/1814/4050/5854/Throughcare-and-aftercare-in-scotlands-local-authorities.pdf>



## Identification and Notification of Eligible Care Leavers

As good corporate parents, local authorities should take action based on the '[assumption of entitlement](#)' principle. Therefore:

- Eligible young people should not have to 'apply' for or request this 'exemption'
- There is no legislative necessity for a young person to sign/complete a form, therefore local authorities should avoid any unnecessary paperwork to be completed by a young person
- Legislation does not require any evidence over and above a professional endorsement
- Eligible young people in contact with services are easier to identify
- Additional measures should be taken to identify and notify eligible care leavers who are no longer in contact with support services, or who have moved to another local authority area, for example:
  - Local authorities should undertake wider awareness-raising sessions for relevant professionals
  - Local authorities may want to produce and display posters in job centres/housing offices etc.
  - Linking with youth justice teams/services to raise awareness
  - Using social media and office-based plasma screens in reception areas of public buildings
  - Enabling peer networks to 'spread the word'
  - The inclusion of an information leaflet in all new annual Council Tax notices and mailings to ensure that all occupiers are notified and otherwise unknown eligible care leavers can positively identify themselves

Local authority Throughcare and Aftercare (TCAC) or Leaving Care Services are often the best source of information in identifying eligible young people, and establishing their whereabouts. However, not all local authorities have dedicated or centralised TCAC teams. This can impact on having coherent centralised data sets of eligible young people. Best practice examples identified the importance of positive partnership arrangements between 'TCAC/Leaving Care Services', 'Housing' and 'Revenue' sections within local authorities, and noted:

- Establishing positive working partnerships locally between social work/TCAC teams, Housing and Finance/Revenue sections is essential
- In some areas, Revenue sections have been the driving force as they can often identify eligible young people via 'arrears' tracking: but they need the information from Social Work about those with a care leaver status
- Some authorities have introduced a 'care leaver flag' on shared IT systems as a means to more easily identify eligible young people and share information across Council departments or sections



- Seeking generic permissions from care experienced young people to share relevant information between corporate parents where there is a direct and tangible benefit to the young person can alleviate GDPR data sharing concerns

Where local databases are inaccurate, then local knowledge and workers professional relationships can be key to identifying and notifying eligible young people.

## Actions to ensure young people living out-with 'home' authority area are aware and able to benefit?

Specific challenges can exist when young people are living outwith their home area. There may be positive reasons for moving away from their home area, and for moving on from support and services. However, good corporate parents will want to know where their young people are, how well the young people are managing, and they will want to be proactive in maintaining appropriate levels of contact and support. Good practice by good corporate parents will include:

- TCAC or other appropriate staff continuing to visit and keep in meaningful contact with young people who are living out of home area
- The 'home' authority taking responsibility to notify the area to which the young person is moving
- The local authority where the young person currently resides liaising directly with the home authority, and undertaking reasonable checks regarding any young person under the age of 26 (e.g. ascertaining if young person is eligible as a care leaver, verifying on behalf of the young person with neighbouring housing or social work section)
- Direct contact between services including emails and phone calls on behalf of the young person, removing any bureaucratic burden from the young person
- Ensuring best use of peer and social networks (e.g. care leavers drop-in sessions, Champions/Champs Boards) and maximising publicity via social media (e.g. Facebook/Instagram/Twitter)

## Addressing Council Tax Arrears

Accumulated arrears should be seen within the wider context of care leavers debt and financial hardship. Whilst supporting care experienced young people to develop good financial habits is important, many are surviving on low-waged employment, managing student grants, or reliant on the benefits system. Without the safety net of the 'bank of mum and dad' that most other young people can take for granted, it is no surprise that many with care experience face financial insecurity and worrying levels of debt.

Good corporate parents will want to:

- Ensure that care experienced young adults are in receipt of all available financial support, ensuring maximum use of discretionary powers and funds
- Avoid initiating court proceedings to take care experienced young people to court for debts owed to you as corporate parents



- Acknowledge the impact that increasing debt burdens have on the mental health and wellbeing of care experienced young people
- Take proactive steps to avoid the unnecessary and avoidable build-up of debt or arrears e.g. where appropriate engage with DWP about direct rent payments
- Be proactive in communicating effectively with those who have arrears, by using positive relationships to make direct contact and offering support and advice
- Provide ongoing person-centred, non-judgmental and non-punitive support for young people who struggle to manage basic or below-basic levels of income
- Be aware of the emotional and psychological impact of 'debt and arrears letters' on care experienced young people
- Ensure that any payment plan set up is realistic and does not increase hardship
- Ensure that ongoing financial advice and support is available to care experienced young people to help them plan for the future and avoid future financial 'cliff-edges'
- Take an holistic approach to debt recovery services/write-off and consider a 'debt amnesty'

## In Summary

These considerations and actions are not intended as an exhaustive or definitive list. Council Tax exemption should be seen within the wider context of steps that can be taken to alleviate financial hardship. The stress of financial hardship and poverty has a negative impact on health and wellbeing. Good corporate parents will want to ensure that their young people receive ongoing emotional, practical, and financial support for as long as necessary and take every possible step to make sure their young people are not burdened with avoidable debt.

## For Further information, contact:

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## References

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[Scottish Government \(2018\) Council Tax \(Exempt Dwellings\) \(Scotland\) Amendment Order, 2018 \(SSI, 2018, No.45\)](#)

