

Somerset West and Taunton Council

Full Council – 15 December 2020

Decisions taken under the urgency rules regarding the Test and Trace Payments Scheme

This matter is the responsibility of Executive Councillor Member Ross Henley

Report Author: Richard Sealy, Assistant Director - Customer

1 Executive Summary

- 1.1 This report relates to a decision taken on 12 October 2020 by the Chief Executive under the urgency rules contained within paragraph 5 of the Budget and Policy Framework within the Council's Constitution. The Decision is attached as Appendix A.
- 1.2 This decision related to agreeing the eligibility criteria for the discretionary element of the Test and Trace Payment Scheme recently introduced by Government to support the response to the Covid 19 crisis.
- 1.3 The Government required local authorities to have both mandatory and discretionary Test and Trace Payment schemes in operation by 12 October 2020.
- 1.4 There was insufficient time to develop, build and agree the discretionary element of the scheme through the normal democratic processes. Doing so would have significantly delayed our ability to quickly get vital financial support to people on low incomes who have been instructed to self-isolate. The scheme was therefore agreed under the urgency provisions by the Chief Executive with the consent of the Chair of Scrutiny. The relevant Portfolio Holder, Cllr Henley, was consulted on the content of the scheme.
- 1.5 The Constitution provides that, where an urgent decision is taken, a full report is made to the next available Council meeting to explain the decision, the reasons for it and why it had to be treated as a matter of urgency.
- 1.6 There are no direct climate implications arising from this decision.

2 Recommendations

- 2.1 Council are asked to note the decision made.

3 Risk Assessment

- 3.1 There is a key risk that individuals, who have been required to self-isolate, leave their homes to continue to work as they are forced to do so through economic necessity.

Both the mandatory and discretionary schemes seek to mitigate this risk by providing financial support to help enable them to self-isolate. Government have therefore required that we implement these schemes quickly.

4 Background and Full details of the Report

- 4.1 From 28 September 2020 the Government made it a legal requirement for anyone who had been required by Public Health England to self-isolate to remain at home.
- 4.2 At the same time Government recognised it needed to provide additional financial support to those people required to self-isolate who were on low incomes, could not work from home and whose income was reduced. Consequently local authorities were issued with detailed instructions in late September for both mandatory and discretionary Test and Trace Payment Schemes. Both schemes had to be in operation by the week commencing 12 October 2020.
- 4.3 The funding for both schemes is provided by Government together with New Burdens funding to assist with the additional administrative costs. We have been provided with £36k for the discretionary element of the scheme.
- 4.4 Both schemes require us to make one-off payments of £500 to each qualifying individual and for each period for which they are required to self-isolate.
- 4.5 Applications can be made via the telephone or the Council's website <https://www.somersetwestandtaunton.gov.uk/benefits/test-and-trace-support-payment/>
- 4.6 The number of applications anticipated per week by Government is low. To date (1 Dec 2020) we have paid 60 applications under the mandatory scheme and 72 in respect of the discretionary scheme.

The Mandatory Scheme

- 4.7 To qualify for a payment under the mandatory scheme applicants must:
 - Have been required to self-isolate by NHS Test and Trace (and must provide their unique Test and Trace reference number to us, which we will then verify with NHS England);
 - Be employed or self-employed;
 - Unable to work from and will lose income as a result; and
 - Be currently receiving Universal Credit, Working Tax Credit, income-based Employment and Support Allowance, income-based Jobseeker's Allowance, Income Support, Housing Benefit and/or Pension Credit.

The Discretionary Scheme

- 4.8 Government recognised that there would be instances where individuals would not qualify for the mandatory scheme, but may still require financial assistance. Hence we have been provided with a small amount of discretionary funding (£36K), which enables us to make approximately 72 discretionary payments.

- 4.9 We have developed our discretionary scheme in conjunction with Sedgemoor District Council. We worked together in order to pool knowledge and resources and to provide some consistency across the two areas.
- 4.10 In developing the discretionary element we have sought to remain close to the Government's intention of providing help to those in financial need. The discretionary scheme is therefore targeted at people who are on a low income, but are not in receipt of one of the qualifying benefits for the mandatory scheme.
- 4.11 The additional qualifying criteria apply to the discretionary scheme:
- The applicant's loss of gross earnings is greater than £100 per week due to self-isolating; and
 - The applicant is employed or self-employed for at least 16 hours a week; and
 - The applicant must NOT possess capital of £3,000 or more; or
 - Individuals who have applied for a qualifying benefit but have not yet received a decision or have appealed against a decision not to award a qualifying benefit; and / or
 - Applicants who are excluded from qualifying benefits by the "Persons from Abroad" provisions within the welfare benefits schemes.
- 4.12 We have closely monitored the number of applications for discretionary payments and have amended the scheme due to a high number of successful applications and to ensure the remaining funds go to those most likely to suffer hardship.
- 4.13 We have topped up the funding for the discretionary scheme with a further £20k. This funding has come from a projected underspend on the £1.382m grant received in March 2020 from Government to award an additional £150 relief on Council Tax bills to working age customers getting Council Tax Support. This will allow us to make an additional 40 payments under this scheme.
- 4.14 To ensure that we target funding at those most in need for applications made on or after 30 November 2020, the following additional eligibility criteria will apply:
- An applicant must not possess capital of £1,000 or more;
 - An applicant must pay rent to a landlord who is not a close relative, or pay a mortgage (and not be on a 'mortgage holiday');
 - Only one Test and Trace Support Payment will be made per household
- 4.15 Full details of the discretionary scheme are provided as Appendix B to this report.

5 Links to Corporate Strategy

- 5.1 There are no specific links to the Corporate Strategy relating to this decision, which is being made in response to the Covid 19 crisis and a direct instruction from Government.

6 Finance / Resource Implications.

- 6.1 The grant funding is provided by Government and they will also be providing new burdens funding to help towards the administration costs. The discretionary funding is limited (£36k) and we have therefore built into the scheme the ability for us to review and change the scheme where required if we are running out of funding.

7 Legal Implications

- 7.1 The decision making process for agreeing the discretionary scheme is in alignment with the Constitution.

8 Climate and Sustainability Implications

- 8.1 There are no specific climate or sustainability implications relating to these decisions.

9 Safeguarding and/or Community Safety Implications

- 9.1 Both the mandatory and discretionary schemes are specifically aimed at helping to protect public health by providing financial assistance to people on low incomes who are required to self-isolate.

10 Equality and Diversity Implications

- 10.1 There are no specific equality and diversity implications relating to this decision.

11 Social Value Implications

- 11.1 There are no specific social value implications relating to these decisions. However, both the mandatory and discretionary schemes direct payments to assist both employed and self-employed people on low incomes.

12 Partnership Implications

- 12.1 We have worked in partnership with Sedgemoor District Council to pool knowledge and resource and to implement a common scheme in both areas.

13 Health and Wellbeing Implications

- 13.1 The payments are specifically intended to provide financial support to people on low incomes who are required to self-isolate, who cannot work from home and whose income is detrimentally impacted. These payments provide direct financial help to the claimants as well as protecting the wider community.

14 Asset Management Implications

- 14.1 There are no asset management implications relating to these decisions.

15 Data Protection Implications

- 15.1 Both the mandatory and discretionary schemes require us to share information with Public Health England to enable the verification of the requirement to self-isolate in individual cases. A specific Data Sharing Agreement has been agreed between SW&T and Public Health England to enable the sharing of data.

16 Consultation Implications

16.1 The timescales requested by Government prohibited any significant consultation. However, both discretionary schemes were developed in conjunction with the Portfolio Holder.

16 Scrutiny Comments / Recommendation(s)

16.1 These decisions were taken under the urgency rules within the Constitution and, as such, were not formally considered by Scrutiny. In accordance with the Constitution the Chair of Scrutiny was consulted regarding the requirement for urgent decisions and consented to both decisions being made by the Chief Executive.

Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Executive – No**
- **Full Council – Yes**

Reporting Frequency: Once only

List of Appendices

Appendix A	Record of Decision taken by Chief Executive dated 12 October 2020
Appendix B	The Somerset West & Taunton Test & Trace Discretionary Payments Scheme

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