

**COVID-19 EMERGENCY
DECISIONS TAKEN UNDER URGENCY POWERS
IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

Test and Trace Discretionary Support Payments

1. Decision:

Approve the Test and Trace Discretionary Support Payments policy document attached to this report.

2. Background documents

The Government announced a test and trace support payments scheme in September 2020 with a requirement for a discretionary local policy to support individuals on the edge of qualification for the main scheme.

3. Reasons for decision:

Government requires that the scheme is launched from 12th October 2020. In order to make awards under the discretionary element, a decision must be made using urgency powers as there is no committee date available which would allow the scheme to operate within the required timescales.

4. Resource implications:

A £32,000 grant from government has been received to fund the grant payments within the main scheme. The discretionary scheme has a grant award of £19,274.10 available to fund it. This is a finite amount and no further allocations will be made by Government.

Resources required to administer the scheme exist within the council, particularly the Benefits team. Should applications numbers increase dramatically the Council will need to reallocate resources from other area to support the delivery of this grant scheme.

5. Who has been consulted:

The policy has been drafted in line with national and local guidance and discussion on the scheme requirements. The decision to agree the policy has been taken in consultation with the Leader of the Council and the Portfolio Holder for Finance and Asset Management.

6. What were the comments:

Comments received from all parties have been incorporated into the final policy wording.

7. Background/context:

The Government announced a financial support package for those on benefit/low incomes in order to encourage self-isolation when an individual has had a positive covid test. A government grant has been received to fund this scheme.

8. Alternative options considered and why they were rejected:

Setting up the discretionary scheme is a mandatory requirement of government.

9. Risk analysis:

The funds are limited by government and the monies are finite. The policy highlights that it can be changed at any time in order to mitigate the risk of over subscription.

10. Any other relevant considerations:

None

11. Chief Executive/CE authorising decision:

Chief Executive

12. Title of Officer completing report:

Head of Finance & Asset Management

13. Date:

15 October 2020

Tewkesbury Borough Council Test and Trace Discretionary Support Payments

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1) Introduction

Test and Trace Support Payments: an overview

From 28 September 2020, individuals are entitled to a Test and Trace Support Payment ('standard scheme') or a discretionary support payment of £500. This is to support people on low incomes who are unable to work from home if they are told to self-isolate by NHS Test and Trace and will lose income as a result.

These payments are designed to help ensure people who have tested positive for COVID-19 and their close contacts self-isolate for the required period to stop the onward spread of the virus. They are also designed to encourage individuals who are eligible for this payment to get tested if they have symptoms. This is important to help stop the transmission of COVID-19 and avoid further economic and societal restrictions.

2) Applying for a Test and Trace Discretionary Support Payment

From 28 September 2020, individuals will be entitled to a payment of £500 from the council's Test and Trace Discretionary Support Payments Scheme if they meet the eligibility criteria listed below:

1. Make an application in the prescribed form and provide all the evidence and verification required;
2. Are resident within the Tewkesbury Borough Council area;
3. Have been told to stay at home and self-isolate by NHS Test and Trace either because they have tested positive for coronavirus or have recently been in close contact with someone who has tested positive;
4. Are employed or self-employed;
5. Are unable to work from home and will lose income as a result;
6. Are NOT currently receiving one of the following benefits:
 - Universal Credit;
 - Working Tax Credit;
 - Income-related Employment and Support Allowance;
 - Income-based Jobseeker's Allowance;
 - Income Support;
 - Housing Benefit; or
 - Pension Credit

7. Are on low income and will face financial hardship as a result of not being able to work whilst self-isolating; and
8. Meet the council's additional criteria for a discretionary support payment.

This scheme is designed for applicants who meet ALL the conditions above, are not receiving any of the listed benefits and are complying with the self-isolation requirements laid down by the government.

3) Eligibility Criteria and Exclusions

The discretionary scheme is for applicants who are not eligible for a Test and Trace Support Payment. Individuals will NOT be entitled to a payment under both the standard scheme and the discretionary scheme.

Applicants will firstly need to meet the government's eligibility criteria before they can be considered for a discretionary support payment. Where an applicant has yet to apply for one of the eligible benefits, is awaiting a decision on a benefit, is currently appealing a decision or is unable to apply for qualifying benefit they may make an application under this discretionary scheme.

The Council will make one payment of £500 per application based on an individual period of self-isolation providing the applicant meets both the government eligibility and the additional locally set criteria. The payment is taxable, but is not subject to national insurance contributions. HMRC will be informed of all discretionary support payments made.

Additional locally set eligibility criteria

Given that the funding for the discretionary scheme is limited, government has stated that it will be up to each council to determine additional criteria that has to be met if a payment is to be made.

Tewkesbury Borough Council has determined the following locally set criteria:

1. The applicant must be resident full time at an address in the Tewkesbury Borough Council area.
2. Applicants must work 16 hours or above per week.
3. Prior to their need to self-isolate the applicant's average gross weekly earnings must have been less than £290 per week to be considered as low income. 'Prior to' means the average of the 4 weeks prior to the applicant's requirement to self-isolate.

Exclusions

Full time students are not eligible for the scheme.

4) Making an application

Time limits for making an application

No application for a discretionary support payment can be made before 28 September 2020 or for any individual who has been required to self-isolate before 28 September 2020.

Eligible individuals can apply for a discretionary support payment at any time up to 14 days after their self-isolation period ended.

Where an individual has been required to self-isolate on or after 28 September 2020, but before the council's scheme opened on 12 October 2020, an application for a backdated payment must be made by 26 October 2020.

Application procedure

Consideration of applications will be dependent on the submission of a complete and valid online application form from the Tewkesbury Borough Council website. This will include the provision of sufficient information and evidence to allow eligibility checks to take place. Those who are not able to complete an application online can contact the Council's Customer Services team on 01684 295010 for support in completing the application.

All applicants will be required to complete a declaration to confirm the details are correct, that they are eligible based on the national and local criteria and will also need to confirm that they will suffer financial hardship as a result of not being able to work whilst self-isolating.

The applicant will also be required to verify that they are resident in the council's area. The council will check other records held (and make other enquiries where necessary) to determine this.

5) List of Required Evidence for Discretionary Test and Trace Support Payments

Below is a list of the minimum evidence required to support an application. We may request further information to evaluate a claim. Any delay in providing suitable evidence may impact applicants receiving a payment

- a formal notification from NHS Test and Trace asking the applicant to self-isolate (this will include a unique CTAS Account ID number) that shows the applicant was required to do so ;
- the applicant's bank statement from the last two months showing all transactions and confirming the applicant's name, address, sort code and bank account number; and
- the applicant's latest wage slip if employed and an email or letter from their employer confirming the applicant is an employee and their pay has been stopped or reduced as a result of the applicant self-isolating; or
- if self-employed, the applicant's latest self-assessment return, trading income and proof that the business delivers services which cannot be undertaken without social contact

Evidence of financial hardship

The council requires all applicants making an application for a discretionary payment to provide evidence of financial hardship such as being unable to pay rent or mortgage and utility bills or buy food. All applicants will be required to demonstrate that the financial hardship is solely due to being required to self-isolate.

6) Determinations of applications

Decisions

When deciding the application the council will consider the completeness of the application, its contents and the additional documentation submitted. The council will also verify the accuracy of the test and trace reference, start date of self-isolation, employment status, loss of income and evidence of financial hardship.

The council will aim to make a decision within 3 working days following receipt of an eligible application and all supporting documentation. As this is a discretionary policy the council reserves the right to obtain additional information from the applicant and third parties in order to determine a decision e.g. request additional wage slips and bank statements. The applicant will receive a decision award email or letter and a remittance advice once the payment has been made.

If the application is refused the applicant will receive an email or letter explaining the reason for the decision.

Payments

Payments will be made by BACS to the applicants bank account as verified through the bank statement submitted as evidence. Payments will be made within 3 working days of receipt of a fully complete application.

Payment can only be made to the person self-isolating. No payment can be made to a third party in any circumstances.

Anti-Fraud Measures

Tewkesbury Borough Council will conduct post payment checks to prevent fraud and the applicant's employer may be contacted to confirm that full pay was not received for the period of isolation and the applicant would have a reduction in their income and their role was not able to be conducted whilst in self-isolation.

We will take steps to recover the payment from applicants who claim the payment fraudulently - an example would be where full pay is received from employment for the self-isolation period.

7) Appeals

Whilst there is no formal right of appeal, if the applicant is dissatisfied with the outcome, they can request a review of the decision. The request should be submitted in writing, detailing the reasons why a review is considered necessary, and providing any additional supporting information required. The review will be undertaken by the Head of Finance and Asset Management along with the Lead Member for Finance and Asset Management whose decision will be final.

8) Funding of the discretionary scheme and data sharing

Funding

The council will receive a fixed amount of funding from government which will be for the period to 31 January 2021 when the scheme closes. Government has confirmed that no additional monies will be given to the council.

In view of this and to ensure that discretionary payments are available throughout the period to 31 January 2021, the council reserves the right to change the Test and Trace Discretionary Support Payments Scheme at any time to ensure funds go to those who face the most financial hardship.

Data sharing

Information collected during the application process will be used to assess an applicant's claim. Information will be cross matched with other data held by the Council and third party agencies including NHS Test and Trace, Department for Work and Pensions and Her Majesty's Revenue and Customs for verification purposes. Applicants' information may also be shared with the Council's Counter Fraud Unit and the police for the prevention and detection of fraud.

Definitions

The following definitions are used within this document:

‘Additional Eligibility Criteria’; means the additional criteria decided by the council that need to be met, in order to receive a payment under the council’s Test and Trace Discretionary Support Payments Scheme. These will be in addition to the standard criteria and are allowable under government guidance;

‘Applicant’; means the individual making an application for a payment under this scheme;

‘Contact Tracing and Advice Service (CTAS)’; means the web-based system used by Public Health England to contact and trace individuals who are required to self-isolate;

‘CTAS Account ID’; means the unique number provided by Public Health England through the Contact Tracing and Advice Service (CTAS);

‘COVID-19’; means the infectious disease caused by the most recently discovered coronavirus;

‘face financial hardship’; a key criterion of the Test and Trace Discretionary Support Payments Scheme is that all applicants will, if not for the payment, face financial hardship solely due to their need to self-isolate;

‘Housing Benefit’; means the benefit administered by local authorities under either the Housing Benefit Regulations 2006 or the Housing Benefit (Persons who have attained the qualifying age for state pension credit) 2006;

‘income-related Employment and Support Allowance’; means the means-tested Employment and Support Allowance administered by the Department for Work and Pensions under the Welfare Reform Act 2007;

'income-based Jobseeker's Allowance'; means the means-tested Jobseekers Allowance administered by the Department for Work and Pensions under the Jobseekers Act 1995;

'Income Support'; means the means-tested Income Support administered by the Department for Work and Pensions under the Income Support (General) Regulations 1987;

'NHS Test and Trace'; means the service provided to the National Health Service in England, established in May 2020 to track and help prevent the spread of COVID-19;

'Pension Credit'; means the means-tested Guarantee or Savings Credit administered by the Department for Work and Pensions under the State Pension Credit Regulations 2002;

'Qualifying benefit'; means any of the following benefits: Housing Benefit, Income support, income-based jobseeker's Allowance, income-related Employment and Support Allowance, Working Tax Credit or Universal Credit

'Self-isolation, Self-isolate'; means the legal requirement for an individual to self-isolate when told to by NHS Test and Trace or the NHS COVID-19 app and the legal duty to self-isolate under the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 which came into force on 28th September 2020;

'Test and Trace Discretionary Support Payments Scheme' ('Discretionary Scheme'); means the Test and Trace Discretionary Payments Scheme which has been agreed by the council and which may be available for individuals who are unable to access the 'Standard Scheme'.

'Universal Credit' means the means-tested Universal Credit administered by the Department for Work and Pensions under the Universal Credit Regulations 2013;

'Working Tax Credit'; means the means-tested benefit administered by Her Majesty's Revenues and Customs under the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002.