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Llywodraeth Cymru  
Welsh Government

Welsh Government  
Consultation – summary of responses

## Council Tax Exemptions for Care Leavers

February 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

**Overview**

This document provides a summary of the responses received by the Welsh Government to the consultation document *Council Tax Exemptions for Care Leavers*.

**Audience**

Care leavers, third sector organisations, local authorities, council tax payers

**Further Information**

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**Additional Copies**

This document can be accessed from the Welsh Government website at:

**<https://beta.gov.wales/council-tax-exemptions-care-leavers>**

# Overview of Responses

## Summary of Responses

This document is intended to be a summary of the responses received. It does not aim to capture every point raised by respondents, but to highlight the key themes.

Sixty-nine responses were received in total. Not all respondents replied to every question.

**Question 1: Do you agree that the Welsh Government should provide extra support to some care leavers by exempting them from paying council tax?**

**YES / NO**

**Please provide supporting comments**

- **67 responses were received to this question.**
- **91% of respondents agreed with the proposal to exempt care leavers from paying council tax.**
- **9% of respondents disagreed with the proposal.**

### Agreed

- Of those who agreed with the proposal, the most commonly cited theme was the additional vulnerability experienced by care leavers as a result of circumstances such as disrupted education; mental health issues and maladapted coping strategies; the difficult transition into adulthood and independent living; and the difficulty in maintaining stable employment and income.
- The need for additional support for care leavers was prevalent in responses, particularly in the absence of a family to provide emotional or practical support. It was noted that other forms of support were needed to assist care leavers, including more affordable and stable housing and one-to-one support including through personal advisers. A number of responses highlighted the important duty that Welsh Government and local authorities have towards care leavers. One commented that the benefits of an exemption would outweigh any cost.
- Responses also highlighted the lack of financial education and budgeting skills amongst care leavers, the difficulty in managing household bills and personal banking for the first time, and the limited finances which are often available to care leavers.
- A number of responses drew attention to the support which had been made available via discretionary schemes and the benefits of having a national approach to exempting care leavers. One respondent said that care leavers can experience lengthy processes for decisions on support while other cases for reductions and discounts are explored.

- One respondent highlighted the existing disincentive for single foster carers who lose their council tax discount for single adult occupancy when the young person turns eighteen and enters a When I am Ready Placement.
- One respondent suggested that all individuals earning less than £14,000 a year should be exempt from paying council tax.
- One respondent caveated their response by saying that any exemption should be means tested.

### **Disagreed**

- Three respondents commented on the unfairness of providing support to care leavers, but not to carers and other young people.
- One respondent said that there was already adequate support in place for those unable to pay.
- One respondent agreed with the principle of the exemption but suggested that it should be considered on a case-by-base basis.

**Question 2: A person cannot be liable for council tax until the age of eighteen. Do you agree that this is the age that the exemption should apply from?**

**YES / NO**

**Please provide supporting comments**

- **66 responses were received to this question.**
- **83% agreed that the exemption should apply from the age of 18.**
- **17% disagreed.**

### **Agreed**

- Thirty-one supporting comments were received from respondents who agreed that the exemption should apply from the age of eighteen.
- The majority of respondents said that it was right that it should be the age from which care leavers become liable for council tax.
- One respondent highlighted the need for local authority 'leaving care teams' to communicate with their revenues and benefits teams to ensure that care leavers turning eighteen are aware of the support.

### **Disagreed**

- Eight comments were received from respondents who disagreed that the exemption should apply from the age of eighteen.

- Four respondents suggested that the age should be twenty-five. While their intention is unclear, other comments suggest that their answers may refer to the upper age limit of the exemption.
- One respondent reaffirmed that the exemption should not apply at all.
- One respondent commented that if people are allowed to vote, they should also be liable to pay council tax.
- Two respondents suggested that council tax should not be paid until a young person has left full-time education, or earns above a certain threshold.

**Question 3: Some local authorities already use their discretionary powers to exempt care leavers from council tax until their twenty-fifth birthday. Do you agree that the proposed exemption should end on the care leaver's twenty-fifth birthday?**

**YES / NO**

**Please provide supporting comments**

- **66 responses were received to this question.**
- **80% agreed that the exemption should apply until the age of 25.**
- **20% disagreed.**

### **Agreed**

- Thirty-one supporting comments were received from respondents who agreed that the exemption should end on the care leaver's twenty-fifth<sup>th</sup> birthday.
- One of the most common themes was that the proposed upper age limit of twenty-five provided an adequate period of time for care leavers to transition into adulthood and be equipped to better manage their personal finances.
- Equally, respondents suggested that the upper age of twenty-five was consistent with other legislation and practice in supporting care leavers.
- Several respondents suggested that discretionary relief or other support should be considered beyond the care leaver's twenty-fifth birthday. One respondent suggested the code of practice should be amended to reflect this.
- One local authority said it was already exempting care leavers until their twenty-sixth birthday.
- One local authority suggested giving consideration to introducing a gradual responsibility to paying council tax.

### **Disagreed**

- Thirteen comments were received from respondents who disagreed with the exemption ending on a care leaver's twenty-fifth birthday.

- Seven respondents suggested that care leavers might not be ready to be fully independent by the age of twenty-five and proposed a broader approach including higher upper age limits (twenty-six and thirty), a reduced rate for those who have reached twenty-five, and further discretionary support.
- Two respondents were opposed to the principle of the exemption.
- Three respondents suggested that care leavers' circumstances should be individually assessed.
- One respondent suggested that the exemption should end when the care leaver leaves full-time education.

**Question 4: By 'care leavers' we mean young people who have been looked after for at least 13 weeks since the age of fourteen, and were in care on their sixteenth birthday. This is a definition used for other forms of support for care leavers. Do you accept this as a suitable definition?**

**YES / NO**

**Please provide supporting comments**

- **65 responses were received to this question.**
- **77% agreed with the definition provided.**
- **23% disagreed.**

#### **Agreed**

- Six substantive comments were received from respondents who agreed with the proposed definition.
- Four respondents said that the definition provided is consistent with the Six Categories of Care Leaver as defined in the Social Services and Well-being (Wales) Act 2014.
- One respondent was concerned that some care leavers might be ineligible for the exemption under this definition and asked that local authorities continue to use their discretionary powers to exempt those individuals.

#### **Disagreed**

- Thirteen comments were received from respondents who disagreed with the proposed definition.
- Three respondents suggested that young people should be in care for at least one year to qualify for the exemption.
- Two respondents suggested a broader definition based on the young person being in care either on their sixteenth or eighteenth birthday.

- Two respondents suggested that any young person who has experienced care should be eligible for the exemption.
- One respondent suggested that adopted children should also be included in the definition.
- One respondent suggested that thought be given to exempting children who are in wider family or friend care.

**Question 5: Do you agree that the Welsh Government should exempt care leavers living in Wales who were looked after in other parts of the UK?**

**YES / NO**

**Please provide supporting comments**

- **65 responses were received to this question.**
- **85% agreed that the exemption should apply to care leavers living in Wales who were looked after in other parts of the UK**
- **15% disagreed.**

### **Agreed**

- Twenty-six comments were received from respondents who agreed with the proposed definition.
- The most common response referred to the need for the exemption to be a national policy, not a local one. Several of these comments said there should be complete alignment between the UK and Wales. One of these respondents remained opposed to the principle of tax exemptions.
- Five respondents commented that the exemption should consider the care leaver's area of residence and not their area of origin.
- Five respondents commented that the care leaver may not have had any choice as to where they lived and that they should not be discriminated against on this basis.
- One respondent agreed with the proposal on the basis that care leavers from Wales living in an English authority would benefit from an exemption, though this presupposes a similar exemption being introduced in England.
- One respondent commented that there should be an element of responsibility by the home local authority to offer continued support.

### **Disagreed**

- Six substantive comments were received from respondents who disagreed.
- Four of these provide additional comments that suggest that the respondents agree with the statement, citing reasons including that children often have no

choice as to where they are placed and that care leavers who are placed out of county/country and return to live closer to their birth family on leaving care will be vulnerable and in more need of support.

- One respondent commented that English authorities must pay for care leavers who were looked after in other parts of the UK to not be discriminated against financially if they do choose to live in Wales.
- One local authority suggested that local authorities outside Wales still have a duty towards young people who have left their care and now live in Wales. They also suggest the Welsh Government give consideration to support local authorities in Wales to meet the costs of council tax for care leavers who live outside Wales.

**Question 6: Should local authorities be responsible for establishing or seeking evidence of individual's care leaver status?**

**YES / NO**

**Please provide supporting comments**

- **63 responses were received to this question.**
- **94% agreed local authorities should be responsible for establishing or seeking evidence of individual's care leaver status.**
- **6% disagreed.**

### **Agreed**

- Most respondents commented that local authorities should be proactive and have responsibility for seeking evidence. Many suggested this would be a simple task for local authorities who should have easy access to the necessary information.
- Some local authorities which responded gave examples of existing practice where social services teams liaise with the authority's revenues team.
- A number of respondents commented that this was important to ensure that claims were legitimate and to avoid the exemption being used fraudulently.
- Some respondents highlighted the difficulties that care leavers may have in providing this evidence themselves.
- Several respondents suggested ways in which the Welsh Government could require or advise local authority leaving care teams to record the status of a care leaver. These included the suggestion of a pan-Wales formatted 'certificate' being held on file until the young person requires it.
- One respondent believed this would have the benefit of also encouraging care leavers to stay in touch with the personal adviser support mechanism.



## Disagreed

- Three comments were received from respondents who disagreed.
- One respondent suggested that Children's Commissioner groups could be used to gain evidence of care leaver status.
- One respondent suggested that the care leaver should not have to provide evidence.
- One local authority said care leavers should be encouraged to take some responsibility and provide evidence (through application) that they met the qualifying conditions.

**Question 7: How do you think local authorities should respond to existing council tax debt which has already been accrued by qualifying care leavers?**

**Please provide supporting comments**

- Sixty-one responses were received to this question.
- The most common response, from thirty respondents, was that any existing debt accrued by care leavers should be wiped out.
- The second most common response was that local authorities should assess instances of debt on a case-by-case basis.
- A number of responses suggested that the debt should be reduced or that additional support should be given to care leavers, eg. through the implementation of payment plans.
- Five respondents indicated that the debt should be collected as usual.
- One respondent suggested that the Welsh Government should pay the debt.

**Question 8: How should the Welsh Government and local authorities ensure all eligible care leavers are identified and ensure maximum take-up of the exemption?**

**Please provide supporting comments**

- Twenty-eight respondents highlighted the importance of communication between social services and revenues officers at local authority level.
- The role of the personal advisor and leaving care teams was a frequent theme in responses, with many commenting that raising awareness of the exemption should form part of the pathway planning process.

- A number of responses suggested establishing mechanisms to simplify or remove the need for an application, such as establishing data-sharing arrangements to ensure care leavers were automatically exempted.
- Responses also highlighted the importance of raising awareness of the scheme through advertising campaigns, updating local authority websites, forms and publications, and engaging with key stakeholder groups.
- One local authority suggested the use of a standardised form across all local authorities.
- One respondent suggested that local authorities should publish data on eligibility and take-up rates in their area.
- One respondent reaffirmed their opposition to the exemption.
- One respondent suggested that care leavers should be able to 'earn the right to tax exemption' through attendance at school.
- One respondent commented that care leavers should not have different treatment to other home leavers.

**Question 9: Are there any other practical considerations that you think should be dealt with in guidance?**

**Please provide supporting comments**

- Thirty-one substantive comments were received in response to this question.
- The most common theme was the need for additional support to be available for care leavers including financial education, support in finding work, assistance with applying for the exemption, and social interaction. One response suggested the Welsh Government produces legislation and guidance to ensure this support.
- Accessibility was also prevalent, with respondents asking for the use of clear language, simple processes, and regular reminders to eligible care leavers.
- Several responses raised the need for clarity on various aspects of the administration of the exemption, including how local authorities should deal with joint and several liability, cross-border considerations, timings to enable software changes to be made, the treatment of houses in multiple occupation, data-sharing arrangements, and the interaction between this exemption and other existing discounts and exemptions.
- A number highlighted the need for the exemption to be communicated to local authority teams and other key organisations including DWP, JobCentrePlus, third sector agencies, etc.
- Several respondents suggested ways in which local authorities and the Welsh Government should encourage take-up, including an initial advertising campaign,

the production of resources for young people and consulting with care leavers to understand how they would like to be kept up-to-date with information.

- One respondent suggested that care leavers who unnecessarily pay council tax after 1 April 2019 should be fully reimbursed.
- One respondent suggested that take-up should be monitored regularly.

**Question 10: Please provide any other comments you have on the proposals.**

- Twenty-six substantive responses were received to this question.
- Seven respondents provided comments in support of the proposed exemption.
- Further clarification of the legislative basis for the proposed exemption was sought by five respondents, including whether care leavers would be disregarded for the purposes of council tax, the impact of the exemption on the single adult discount, the liability of spouses, and the issue of joint and several liability.
- One local authority suggested a legislative approach for introducing the exemption which could be easily administered using their current software. Another suggested that the Welsh Government would need to support the proposal financially to include the cost of software changes.
- Another authority commented that the Welsh Government should be transparent that the proposal does not come at no cost to local authorities, citing reducing local government income and the cost associated with providing advice, guidance and support services.
- One respondent said that the exemption should also apply to other disadvantaged young people, and that the exemption should be UK-wide.
- One respondent raised an issue with the definition of a care leaver provided in the consultation.
- Another said that the consultation was biased in favour of the exemption.
- Two respondents questioned the proposed age range for the exemption, with one suggesting that the upper age limit of twenty-five was arbitrary and another saying that those over this age should also be considered.
- One response highlighted the importance of engaging with care leavers as part of the policy development process and to assist with the development of guidance.
- One respondent expressed concern that there is scope for local authorities to administer the exemption in different ways.
- One respondent highlighted the need for care leavers to receive practical support.
- One respondent said that inconsistency in practice is failing care leavers.

- One respondent said that the exemption should also apply in the rest of the UK.

## **Next Steps**

The Welsh Government is considering the responses in deciding whether and how to bring forward legislation to introduce a new council tax exemption for care leavers.

## Annex A

### List of respondents who chose not to be anonymised

Name of respondent / Organisation
Paul Harley
Barnardo's
Paul Stephens
Monmouthshire County Council
Citizens Advice Swansea Neath Port Talbot
John Killick
Jean Silvan Evans
Amanda Hurst
GMB Trade Union
John
Foster care values
Anna-Louise Edwards
Torfaen County Borough Council
Kara Bradley
Young Foundations
Kerry Morgan
Five Rivers Child Care
Adoption Mid & West Wales
Graham Barrow
Maureen Perkins
Monmouthshire County Council
Sharon Cooke
Barbara Roberts
Powys County Council
Mark Brerton
Welsh Local Government Association
Money Advice Service
Flintshire County Council
Denbighshire County Council
Social Care Wales
Cardiff Council
Citizens Advice Cymru
Vale of Glamorgan Council
Children's Commissioner for Wales
Children in Wales
The Children's Society
Voices From Care Cymru
Rhondda Cynon Taf Children's Services
Barnardo's Cymru
The Fostering Network
Isle of Anglesey County Council