

Consultation Results - Council Tax Penalties

As Portsmouth City Council aims to deliver continuing value for money the introduction of a penalty scheme would encourage customers to inform the Council of changes as soon as possible thus reducing collection costs.

In order to understand resident opinion on this matter a consultation questionnaire was conducted and residents across the city invited to participate. The consultation opened on 16th November and closed on 30th December and was available online or in print on request.

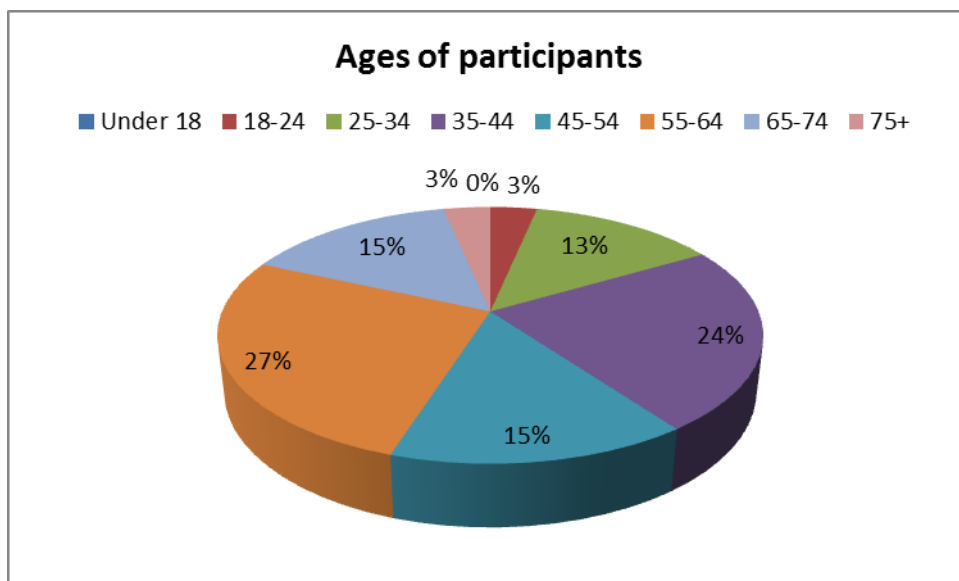
Results

The consultation questionnaire was completed by 65 responders - 63 individual residents and 2 who completed on behalf of a business or organisation.

Of those who responded only 3 were not eligible to pay council tax.

More women (56%) than men (44%) completed the survey - this is usual as more women than men complete surveys and get involved in research generally.

A variety of ages responded. Although the 55-64 group is the largest, other age brackets are evenly represented and show a good spread. Thirty-three of those who responded would consider themselves to have a health problem.

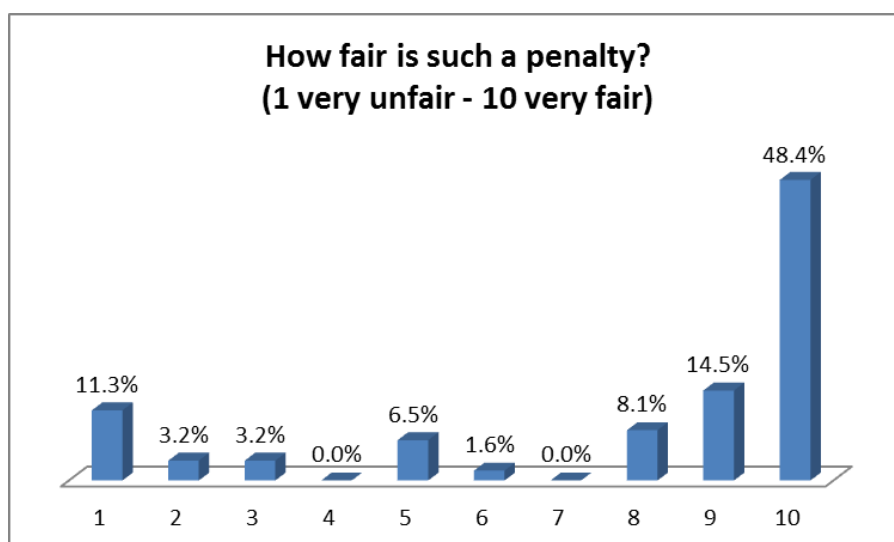
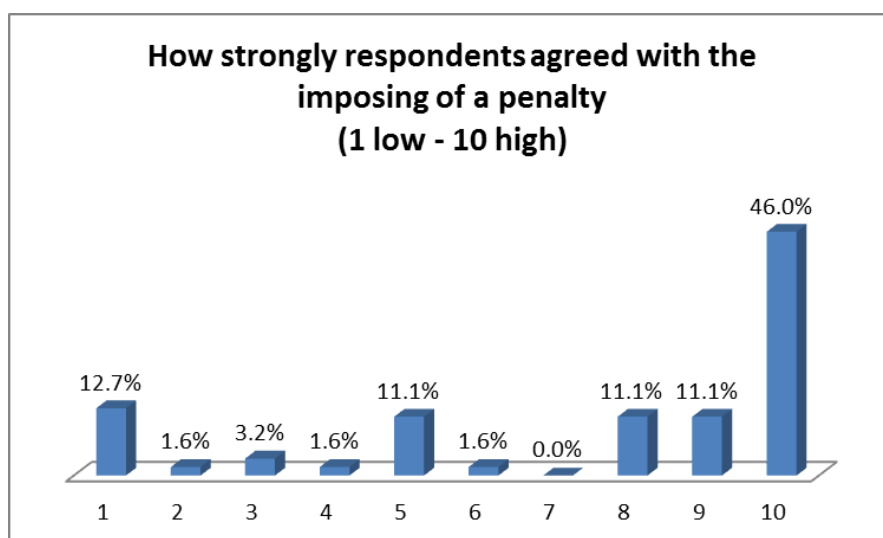


The majority of those who responded did not receive a discount - 79% (51) indicated that they did not receive a discount for their council tax.

When respondents were asked to indicate their level of agreement of the following statement:

On a scale of 1 - 10 (with 1 strongly disagreeing and 10 strongly agreeing) please indicate how much you agree with the following statement?" The Council should impose a penalty of £70 where a person fails to notify the Council without reasonable excuse on any matter which affects entitlement to discount, exemption or Council Tax liability"

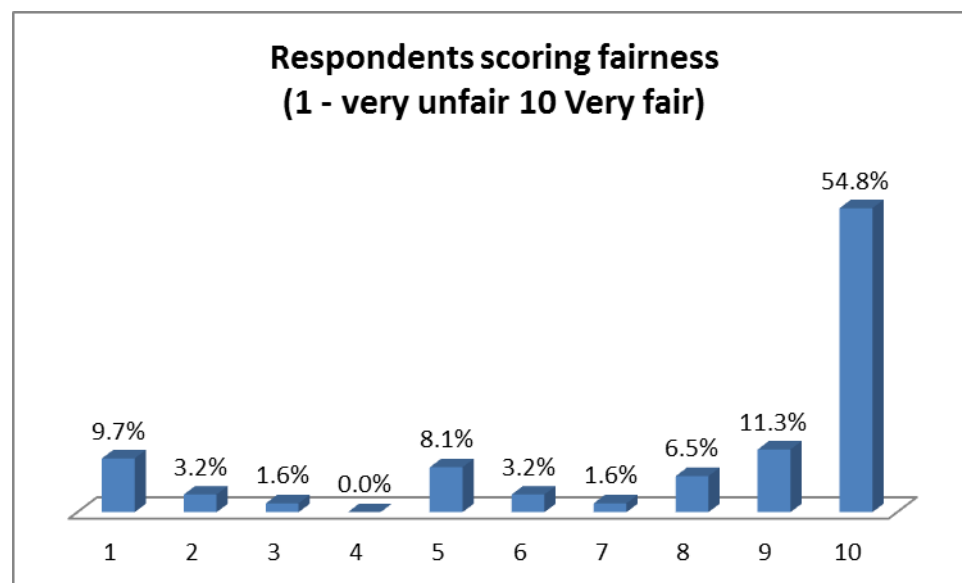
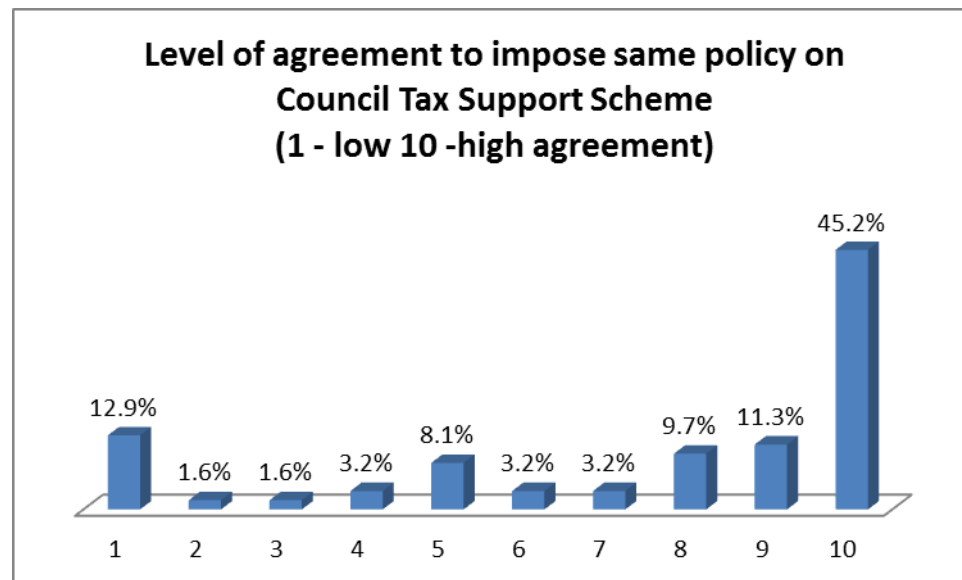
The majority strongly indicated agreement with the statement with 67% of respondents scoring an 8 or above.



*3.2% indicated they did not know how fair such a penalty might be.

When asked to comment on the 'fairness' of imposing such a penalty - again the majority scored over 8 and demonstrated that they believed the penalty to be fair in these circumstances.

When asked to score whether they agreed with imposing the same policy on the Council Tax Support Scheme, again respondents scored in favour and also indicated through their scoring that they felt it a fair penalty to impose.



Respondents were asked if there were any exceptional circumstances where a penalty should be waived. Respondents responded as follows (raw uncensored data):

- no excuse!!!!!!! If they can claim all benetits they need to UNDERSTAND everything !!!!
- difficulties understanding English, a stay in hospital, family problems
- period of extended ill-health, continuously variable income for self-employed per month, unequable income, difficulties understanding English, a close family bereavement or health issues, verbally incorrect information provided by a member of council staff
- Ill Health, Bereavement
- a STAY IN HOSPITAL
- death, hospitalisation, language barrier
- "financial difficulties
- overwhelming financial issues
- letting a property through an agent and not being told it is empty
- Very elderly and infirm and a carer has moved in and failed to notify them immediately perhaps an age of over 80 plus? all the above but not understanding english
- ill health
- being away from country
- As above but not language barrier as plenty of language services available
- some people may genuinely not think about council tax straight away. I suppose if they pay you the overpayment as soon as aware then the penalty could be waived
- I would agree with these ones 'a period of extended ill-health, a stay in hospital, a close family bereavement' but I would expect the money they overclaimed to be clawed back still.
- Forgetfulness is reasonable..many people forget things I think you should have a warning system ie give people a warning then after that its straight to penalty.
- Reasons (not excuses). Unexpected ill health or hospital stay, major life changes e.g. bereavement, short term change (someone moves into a house claiming single reduction for a few weeks only), registered blind or similar where rely on others to action this type of thing on your behalf, something which appeared a short term change of less than 21 days but then becomes longer term.
- ill health
- Bereavement/Ill Health
- Difficulty understanding English
- Difficulty reading
- A family emergency - to be defined but some flexibility to allow for compassion in difficult cases.
- In hospital
- Language or reading problems Serious illness
- Being ill or being unable to communicate well due to communication difficulties (learning disabilities etc), should be taken into account as a reasonable excuse.
- Not being able to speak English very well is NOT an excuse.
- ill health, bereavements, hospital stay.

- Those mentioned in your paragraph above except for not understanding english
- Mental health issues and learning difficulties.
- To be considered when asked to meeting for not informing
- Lack of understanding, ie elderly or those with learning difficulties
- Ill health.
- Family Bereavement
- Hospital stay
- All above should be without question.
- Hospital stay, bereavement, time....give a month but back dated extra chargers
- Hospitalisation
- Ill health
- Continuous good cause such as medical reasons, family problems such as a bereavement and for vulnerable adults.
- All the above apart from difficulty understanding English.
- ill health of more than 10 days (with a doctor's note or prescription) hospital stay or forthcoming hospital stay (ie at around the same time), family bereavement, disability that involves learning or understanding problems, English as a second language when they have been resident for less than one year only,
- extended period of ill health, bereavement
- An extended stay in hospital, a permanent or long term ill-health problem, Elderly claimants that may need help.
- You were not sure about claiming
- I think it is difficult to quantify as there are so many possible variations according to specific circumstances
- Bereavement esp if person was at same address, ill health of Bill payer or other at same address, severe and enjuring mental health problem,
- 21 days is too short a notice. If people are busy working, helping relatives, etc. then at least 2 months notice would be sufficient. We all lead busy lives and who knows - the new move in person may not stay thus making more paperwork and cost to the council by way of time and letters sent.
- I don't see how you can pre-empt the reasons why people do not or unable to report changes. People will have their own reasons and it is not the job of the council to call their explanation into question.
- Hospital stay. Death of occupant. Death in the family. New claimants if they can prove that they were not told of the rules. If a claimant received the incorrect advice by a council member or staff. Extended ill health. Terminal illness. Mental health issues are proven such as learning disabilities.
- Certainly an extended stay in hospital and the individual didn't have immediate family to help would be a reason. Equally someone with a medical problem such as early stage dementia or other mentally debilitating condition should be excused a fine
- All of the above would be reasonable excuses in my opinion, I would also opine that a person who has recently got back into work, may be struggling with increased personal administration requirements, finding childcare, managing bills etc. in this instance, I would suggest that as long as the overpayments are returned in a timely manner (not necessarily all at once), then this might be considered sufficient.

- I would also raise the issue of persons like myself who may work offshore or be on military duty outside of the UK, often with no means to contact the council for extended periods.
- Mental health conditions. Hospital stays.
- A change in other benefits, where the council is able to access the information.
- Ill health of self or close family member
- Hospital stay
- Bereavement

In summary, a variety of reasons appeared a number of times in the comments but ill health, hospitalisation and bereavement were the most frequently mentioned. Many were also at pains to state a lack of understanding of English should not be a case of avoiding the penalty if imposed.

Finally

Although the overall number of participants was modest, those who took time to complete the questionnaire indicated that they would support a penalty system with certain waivers in place.

APPENDIX

Additional Comments

Participants were also invited for any general comments. These appear verbatim below:

1. REDACTED
2. no additional comments
3. Penalising someone, other than them having to pay back the overpayment, would only add to the hardship of someone who most likely has money problems
4. NOT speaking English, is no excuse. I bet you if money was concern (ie rebate etc), they would soon speak our countrys languish.
5. need to make sure these penalties should be collected
6. I find it astounding that you are trying to claim money for a property that no one is living in, therefore not using any service the council provides, and not only that, you now wish to penalise the owner for failing to jump through your hoops. In my circumstances I am trying to sell two flats that have nearly bankrupted me due to appalling tenants. Now the flats are on the market I am liable for 3 lots of council tax (my own home as well as these empty properties. You need to realise that keep pushing people who are having financial difficulties into further debt does not get you more money but could cost lives. People are on the edge financially now. Just stop being greedy.
7. As individuals we all have our unique and individual problems I believe that the fine system would cost more to administer than it gets in, people should not be able to get away with untruths and they should pay back money owed
8. Not understanding English is not an excuse
9. Charge interest on any underpayments instead
10. I do not agree about difficulties understanding English... people should learn the language or leave and there are also plenty of organisations who help these people, this is a poor excuse that further encourages individuals not to learn English or engage with the community
11. I dont think going straight to imposing fines is fair or justifiable I do think giving people a chance is fair.
12. 21 days is not long if you are facing major life changes or very unexpected changes. Possibly 4 weeks (28 days) would be more appropriate, charges would be back dated anyway.
13. If people aren't paying then they should be fined, why should others pay full amount to subsidise people who don't want to follow the rules.
14. I don't agree that a penalty should be introduced, but simply that the person should be charged any amount that they should have paid, during the period that they didn't notify the council, i.e. as per the examples in this survey. A small admin charge could be added to cover the cost of working out this figure, but 'small', not £70!
15. I think if a penalty is imposed then any arrears are paid in say 14 days then the penalty could be cancelled because at the end of the day this is about maximising revenue
16. I feel that NO penalty should to be given to anyone!!! Why are the Council trying to profit from a person's change in circumstance?? The person still makes up the short fall by paying more in the council tax either monthly or after the financial year. You are not a Private organisation so stop acting like one! You should not be profiting

from working people, low income, poverty line and vulnerable people. Total disgrace
PCC

17. Hit the obvious fraudsters with the fine. But warn not those mentioned above
18. Unable to understand English is not an excuse
19. The local authority need to implement this
20. I think 21 days is too short a time period - when changing job etc it could be easy just to forget
21. Difficulties understanding English is not a reasonable excuse. It didn't stop a claim being made in the first instance.
22. I think 21 days may be too short. I think one month would be better.
23. Lack of ability to understand English is not a good reason as if paying already know the responsibility, if claiming benefit definitely know rules, and information is widely available in a variety of languages
24. Peoples circumstances change but they should be given time to notify. 21 days notice is just too short a period. In 21 days peoples circumstances could change back to stage 1.
25. Those on a low income are unable to pay fines - it is wrong for the council to consider such a proposal.
26. I don't believe that not understanding English is a reasonable excuse because to claim the benefit in the first place takes a certain level of understanding of English. If a translator is used to apply for the benefit, they should explain to the client then expect the client to say that they understand this rule by signing a form to that effect.