

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### **PART 1 – PUBLIC DOCUMENT**

Any interest to declare/ or conflict and any dispensation granted [*if applicable*]

### **SERVICE DIRECTORATE: CUSTOMERS**

#### **1. DECISION TAKEN**

- 1.1 That the scheme at Appendix 1 is approved as the Council's Test and Trace Support Payment Standard scheme.
- 1.2 That the scheme at Appendix 2 is approved as the Councils Test and Trace Support Payment Discretionary scheme.
- 1.3 That any amendments necessary to the schemes be delegated to the Service Director – Customers in consultation with the Executive Member for Finance & IT

#### **2. DECISION TAKER**

- 2.1 Anthony Roche, Managing Director

#### **3. DATE DECISION TAKEN:**

- 3.1 09 October 2020

#### **4. REASON FOR DECISION**

- 4.1 To ensure that the help provided by the Government reaches those that qualify as quickly as possible.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 To follow normal procedures, which would require a decision by Cabinet, which would clearly not be possible if the Council wishes to distribute this help quickly, additionally the scheme must be open for applications by the 12<sup>th</sup> October 2020.

#### **6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

- 6.1 The Executive and Deputy Executive Members for Finance & IT have been consulted on these proposals. Whilst the introduction of the scheme is unlikely to be defined as an executive function (see legal implications at 9.1) the Chairman of Overview and Scrutiny has been consulted on these proposals due to the urgency of the decision being taken.

#### **7. FORWARD PLAN**

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

#### **8. BACKGROUND/ RELEVANT CONSIDERATIONS**

- 8.1 The Government has made it compulsory for people to self-isolate if the NHS has told them to, either because they have tested positive for Covid-19 or because they have been in close contact with someone who has.
- 8.2 A new Test and Trace Support Payment scheme has been introduced to ensure that those who are required to self-isolate, do so, and that those on a low income receive a payment of £500 to assist their finances and to encourage compliance with the legislation.
- 8.3 The Test and Trace Support Payment scheme has two elements, a Standard scheme and a Discretionary scheme. Both schemes apply to individuals who are employed, have been told to self-isolate and who will suffer a loss of income as a result of being unable to work from home.
- 8.4 The Standard scheme is for those who meet the criteria detailed in 8.3 and are in receipt of one of the following seven Benefits; Universal Credit, Income Related Employment Support Allowance, Income Based Job Seekers Allowance, Income Support, Housing Benefit and / or Pension Credit.
- 8.5 The Council is required to set its own Discretionary scheme, within the following prescribed parameters: applicants must meet the criteria detailed in 8.3 but **not** be in receipt of one of the legacy benefits.
- 8.6 This report proposes to set the threshold for determining low income for the Discretionary scheme as follows: That the temporary change in income as a result of not being able to work from home while self-isolating would mean the applicant would, under 'normal circumstances' be entitled to a Council Tax Reduction based on their lower income This would be based on a liability for a band D property.
- 8.7 Guidance on the schemes was first received on 20 September 2020, with further updates thereafter. All Councils must be ready to start receiving applications by 12 October 2020 and continue until 31 January 2021. Only those with a valid NHS Test and Trace ID and who have to self-isolate on or after 28 September 2020 can apply. Payments can be backdated to start on or after the 28 September.
- 8.8 Individuals can qualify for more than one payment, if they have more than one incidence of self-isolation, if the criteria apply in each case and periods of isolation do not overlap. Multiple members of the same household can apply, an application must be received from each person.
- 8.9 There will be funding of £50million Nationally for the Standard scheme, this is made up of the following:
- £25million for payments under the Standard scheme
  - £10million for administration of the schemes
  - £15million for payments under the Discretionary scheme
- 8.10 Based on data modelling, it is calculated that with on a population of 250,000, an average of four applications per day can be expected. Based on those calculations we can expect an average of two applications per day.
- 8.11 It is anticipated that there will be additional applications received from people who do not qualify under either scheme; therefore, it is important that the eligibility criteria of both schemes are made as clear as possible at every opportunity.
- 8.12 The Department for Health and Social Care has set the allocations of funding to each Council. The funding available to North Hertfordshire District is as follows:
- £42,000 for payments under the Standard scheme (equivalent to 84 payments of £500)

- £26,249 for administration of the schemes
  - £25,295 for payments under the Discretionary scheme (equivalent to 50 payments of £500)
- 8.13 To facilitate the processing of applications we have purchased a custom-built add-on from Northgate, the current supplier of our Benefits system, for £1,800. This includes an online application form which is integrated into the Benefits system, automating as much of the process as possible.
- 8.14 Payments must be made to successful applicants within three working days. The quickest and easiest way to apply will be via the online process and whilst this is the preferred method for the Council to process applications, support will be provided to those who are unable to apply in this way. They will be able to telephone the Council and a form can be completed on their behalf. The customer will still need to supply the relevant information and documents.
- 8.15 The scheme will be administered by the Benefits Team who will be able to identify any residents that they encounter who are unaware of the scheme but would be eligible for the payment.
- 8.16 The scheme will run from 12 October 2020 until 31 January 2021, only those who have been told to self-isolate on or after 28 September will be eligible for the payment and payments may be backdated to 28 September.
- 8.17 The Government will be publicising the new legal duty to self-isolate and the Test and Trace Support Payment scheme. Locally the scheme will be publicised via the Councils web site, social media, press release and by partners such as the Money Advice Unit (MAU) and Department for Work and Pensions (DWP)

## **9. LEGAL IMPLICATIONS**

- 9.1 The track and trace payment scheme has been introduced on the back of the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020, which came into force on 28<sup>th</sup> September 2020. Those Regulations are made under the Public Health (Control of Diseases) Act 1984 provisions, such originating legislation providing for non-executive functions.
- 9.2 Section 14.6.5 of the Council's Constitution details the delegation of authority to the Managing Director. 14.6.5 (a) lists the functions delegated to the Managing Director and at 14.6.5 (a) (iv) it states: *In cases of emergency or urgency (where possible in consultation with the Leader of the Council) to carry out any Council or Executive function, power or duty.*
- 9.3 This decision is considered urgent because the scheme must be ready to start receiving applications by the 12 October 2020 to assist residents who are financially impacted due to having to self-isolate to control the spread of the virus.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 There are no direct financial implications to the Council. Costs associated with administering and payment of the schemes will be covered by the allocation of grant funding.
- 10.2 Latest guidance indicates that the following in relation to each of the funding allocations:
- The funding allocation for the Standard scheme will be subject to reconciliation, meaning a top-up may be given if the payment costs exceed the allocation, equally funding not spent may need to be returned.

- The funding allocation for the Discretionary scheme will not be subject to reconciliation.
- The funding allocation for the Administration of both schemes will not be subject to reconciliation.

## **11. RISK IMPLICATIONS**

- 11.1 The Government has set a tight timeframe for implementing the schemes to encourage compliance with self-isolation legislation to control the spread of Covi-19. Seeking a formal Cabinet decision to implement these schemes will build in unnecessary delay.
- 11.2 The funding for the Discretionary scheme is limited, therefore the scheme may need to be adjusted if the number of applicants is greater than expected. This will be kept under constant review but there is a risk that the Council may have to pick up the cost of any shortfall.
- 11.3 There could be significant reputational risk to the Council if it is seen to be slow in implementing this assistance to residents.
- 11.4 With any discretionary scheme, there is always the risk of challenge. In following the established threshold for low income in relation to the Council tax reductions scheme, the Council is minimising this risk.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 The Council is implementing Government policy designed to assist residents on a low income that are financially impacted as a result of having to self-isolate during the COVID-19 pandemic.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 *The Social Value Act and “go local” policy do not apply to this decision.*

## **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 There are no Human Resources implications in this report.

## **16. BACKGROUND PAPERS**

- 16.1 Department of Health and Social Care – Implementation Guide for Local Authorities in England

## **17. APPENDICES**

- 17.1 Appendix 1 – Test and Trace Support Payment Standard scheme
- 17.2 Appendix 2 - Test and Trace Support Payment Discretionary scheme

**NOTIFICATION DATE**

16 October 2020

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**Signature of Executive Member Consulted** .....

**Date** 09 October 2020

**Signature of Decision Taker**

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**Please Note:** that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

**Call-in does not apply to NON-EXECUTIVE DECISIONS**