

Public Document Pack

Executive Member Decisions

Friday, 16th October, 2020

AGENDA

1. **Test and Trace Support Payment and Discretionary Scheme**
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Appendix A Test and Trace Discretionary Policy
EIA Test and Trace Discretionary Policy

Date Published: 16th October 2020
Denise Park, Chief Executive

EXECUTIVE MEMBER DECISION



REPORT OF:	Executive Member for Finance and Governance
LEAD OFFICERS:	Director of Finance and Customer Services
DATE:	16 th October 2020

PORTFOLIO/S AFFECTED: Finance and Governance

WARD/S AFFECTED: All

SUBJECT:
Test and Trace Support payment and Discretionary Scheme

1. EXECUTIVE SUMMARY

Blackburn with Darwen has throughout September been a pilot authority for a payment scheme to support those on low income who are instructed to self-isolate by NHS Test and Trace. Following feedback from the three pilot authorities, the Government have now announced a national scheme for those on low incomes. Administration costs and payments for the scheme will be funded by central government. In addition, a discretionary element has also been introduced that provides support for those who do not qualify for all of the criteria of the main scheme.

Blackburn with Darwen BC's discretionary award is £51,779.

This report sets out the government's proposals in respect of national scheme, and details the Council's own discretionary policy.

2. RECOMMENDATIONS

That the Executive Member:

Approves the Test and Trace Discretionary Payment Scheme to support those individuals on a low income that are not eligible for the Test and Trace Support payment, but meet most of the eligibility criteria.

3. BACKGROUND

Following the introduction of a new legal obligation to self-isolate, if a person tests positive or is identified as a contact by NHS Test and Trace, the Government has also introduced a new Test and Trace Support lump sum payment of £500. This payment is intended to support those on low incomes if they cannot work during their self-isolation period and will suffer a loss of income as a result.

In addition, the Government is also providing local authorities with discretionary funding to support those that also require financial support because they must self-isolate but do not meet the criteria for the Test and Trace Support payment.

4. KEY ISSUES & RISKS

The Test and Trace Support Scheme

The new legal obligation for a person to self-isolate if instructed to do so by NHS Test and Trace, has been introduced to help stop the virus from continuing to spread. To support this endeavour, a Test and Trace Support Payment has been introduced to assist residents who are financially worse off through the requirement to self-isolate.

With effect from the 28th September, those people that have been asked to self-isolate by the NHS Test and Trace can be considered for a support payment of £500. To qualify, an individual must:

- Have received an NHS Test and Trace notification to self-isolate between 28th September 2020 and the 31st January 2021;
- Be employed or self-employed;
- Be unable to work from home 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.

During the application process, applicants will be asked to provide:

- A unique ID number from NHS Test and Trace;
- A bank statement;
- Proof of employment, or, if they are self-employed, evidence of self-assessment returns, trading income and a declaration that they cannot work from home; and,
- A declaration that they are in receipt of a qualifying Welfare Benefit (Council staff will verify this via access to Department of Work and Pensions systems).

Local authorities are required to administer this scheme, provide residents with an application process, and, in respect of successful applications, to make appropriate payments. The scheme will run until the 31st January 2021.

It is anticipated that the vast majority of applications will be made online, however, claimants who are unable to submit online applications, will be supported over the telephone.

Successful applications will receive payment by BACS within 3 days. The aim of the scheme is to make the payments swiftly to encourage affected residents to stay at home, self-isolate and stop the spread of the virus.

Individuals can claim more than once if they meet the eligibility criteria for each separate occasion and there is no overlap with a previous period of self-isolation.

The Test and Trace Support payments will be taxable but exempt from National Insurance contributions. The Council will be required to notify the Government of all payments so they can apply relevant tax as applicable.

The Test and Trace Discretionary Payment Scheme

The Government has also instructed local authorities to adopt a discretionary scheme to provide financial support to those who fall outside of the criteria for the Test and Trace Support Payment scheme. The mandatory criteria for the discretionary scheme is that an application must:

- Have received an NHS Test and Trace notification to self-isolate between the 28th September 2020 and the 31st January 2021;
- Be Working (employed or self-employed)

- Be unable to work from home and so as a result will lose income due to the requirement to self-isolate;
- Not currently receiving Universal Credit, Working Tax Credit, income-based Employment and Support Allowance, income-based Job Seeker's Allowance, Income Support, Housing Benefit and/or Pension Credit;
- Be on low income and facing financial hardship as a result of not being able to work while they are self-isolating.

The Greater Manchester Revenues and Benefits Forum, of which Blackburn with Darwen is an associate member, has discussed and agreed basic eligibility criteria for those who would be eligible to apply for the discretionary payment, to ensure a consistent approach across the area covered by the member authorities. Under this collaborative agreement, people who would typically be eligible to apply would be those who:

- Have fixed property costs i.e. rent or a mortgage (this will be evidenced by a liability for Council Tax);
- Have earned income of less than the median salary in the authority, which for Blackburn with Darwen is £21,152 if single, or £42,304 if a couple.

In deciding the cut off income level for the discretionary scheme the council has used the 'median' income level for the borough, as reported by the Office of National Statistics. It is felt that using the mid-point of earned income will reduce the strain on the discretionary fund whilst still allowing those on lower incomes to qualify for support.

The funding provided by Central Government is intended to facilitate operation of the discretionary scheme until the 31st January 2021.

5. POLICY IMPLICATIONS

The full Discretionary Policy is detailed in Appendix A.

6. FINANCIAL IMPLICATIONS

The Government have confirmed that all payments made under the national scheme will be reimbursed in full. However, in respect of the discretionary fund the allocation is fixed.

Additional burdens monies will be made available to Councils for the costs associated with the administration of this scheme.

7. LEGAL IMPLICATIONS

Since 28 September 2020, people in England are required by law to self-isolate if they test positive or are contacted by NHS Test and Trace. The new payment has been introduced alongside the new legal requirements for self-isolation for those who have tested positive for Covid-19, or who have been instructed by NHS Test and Trace to self-isolate because of possible contact with someone who has had a positive test result. New fines, ranging from £1,000 to £10,000 have also been introduced for those failing to self-isolate when required to do so, or knowingly providing false information about close contacts to NHS Test and Trace. As this new legal duty may impact on the ability of an individual to work, the government has introduced a scheme to support those who are required to self-isolate.

This report, together with the information at Appendix A, provide transparency and show the criteria that the Council will apply when making decisions as to whether or not to award a discretionary payment. The Council must however consider applications which may fall outside of the policy and should not be fettered in its decision making by the terms of the policy. The Council is, however, bound by the guidance set out by the Government as to when discretionary payments can be made.

8. RESOURCE IMPLICATIONS

Any additional work required in respect of the payment scheme will be undertaken within existing resources.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

None.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

VERSION:	1
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CONTACT OFFICER:	Andy Ormerod
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DATE:	12th October 2020
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<p>BACKGROUND PAPER:</p>	<p>Appendix A Test and Trace Discretionary Policy</p> <p>Test and Trace Support Payments Implementation Guide for LA's in England</p> <p>Test and Trace Support Payment – Questions Log</p>
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Test and Trace Discretionary Policy 2020

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1. Test and Trace Discretionary Support Scheme

1.1 Background

A new legal obligation for a person to self-isolate if so instructed by NHS Test and Trace has been introduced to help stop the virus from continuing to spread. To support this initiative, with effect from the 28th September, a Test and Trace Support Payment has been introduced to assist residents who are financially worse off through the requirement to self-isolate.

In addition to the national support payment, the Government has also instructed local authorities to develop and adopt a discretionary scheme to provide financial support to those who fall outside of the Test and Trace Support Payment scheme.

1.2 Application process

It is envisaged that the vast majority of applications will be made digitally through an online form on the Council's website. For those residents who do not have access to digital options, or lack sufficient skills, a telephone line has been made available.

Claimants will be asked for supporting evidences as and when required to support their application.

1.3 Eligibility criteria

To be considered for a support payment an individual must:

- Have received an NHS Test and Trace notification to self-isolate between the 28th September 2020 and the 31st January 2021;
- Be Working (employed or self-employed);
- Be unable to work from home and will lose income as a result of having to self-isolate;
- Not be currently receiving Universal Credit, Working Tax Credit, income-based Employment and Support Allowance, income-based Job Seeker's Allowance, Income Support, Housing Benefit and/or Pension Credit;
- Be on low income and will face financial hardship as a result of not being able to work while they are self-isolating;

For the purposes of this discretionary scheme the Council has determined that low income is £21,152 for single claimants and £42,304 for couples.*

- Have fixed property costs i.e. rent or a mortgage which is generally evidenced by a liability for Council Tax.

1.4 Payments

Eligible individuals will receive a payment of £500.

The payments will be made within 3 days of approval of the application form.

1.5 Backdating of payments

Eligible individuals can make a claim up to 14 days after their period of self-isolation ended. Applications will not be accepted after this point.

For example, a person who is instructed by NHS Test and Trace on 1st October to stay at home and self-isolate must have applied for the Test and Trace Support Payment by 15th October.

1.6 Multiple claims

Some individuals could be asked to self-isolate by NHS Test and Trace more than once. In such circumstances, as long as they meet the eligibility criteria for each individual claim and their periods of self-isolation do not overlap multiple payments can be made.

For example, if someone claims for a period of self-isolation lasting from 1st October to 14th October and then claims again for a second period of self-isolation beginning on 10th October, they would only be allowed to claim once, because the two periods overlap. However, they would be allowed to claim for a second period of self-isolation that began after the first period had ended on 14th October.

1.7 Appeals

Any appeal against a decision made under the *discretionary* policy must be made in writing and reach the Council within 7 days of an individual receiving notification of an award decision.

The Council will acknowledge the appeal within 5 working days of receipt.

The Director of Finance will consider the appeal.

The applicant will be informed of the final decision as soon as practicable thereafter.

**Source – 'Annual survey of hours and earnings' 2019 Office of National Statistics.*

EQUALITY IMPACT ASSESSMENT CHECKLIST

This checklist is to be used when you are uncertain if your activity requires an EIA or not.

An Equality Impact Assessment (EIA) is a tool for identifying the potential impact of the organisation's policies, services and functions on its residents and staff. EIAs should be actively looking for negative or adverse impacts of policies, services and functions on any of the nine protected characteristics.

The checklist below contains a number of questions/prompts to assist officers and service managers to assess whether or not the activity proposed requires an EIA. Supporting literature and useful questions are supplied within the [EIA Guidance](#) to assist managers and team leaders to complete all EIAs.

Service area & dept.	Finance	Date the activity will be implemented	08/10/2020
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Brief description of activity	Test and Trace Discretionary Policy
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Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Change to existing Council policy/strategy - Budget changes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Does this activity: Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act (i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not (i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not (i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)	<input checked="" type="checkbox"/> No
FOR = 0	TOTAL	AGAINST = 6

Will you now be completing an EIA?

☐ Yes

☒ No

The EIA toolkit can be found [here](#)

Assessment Lead Signature	
E&D Lead Signature	Gwen Kinloch
Date	12/10/2020