



Energy Bills Rebate Scheme

2022/23

1. What is the Energy Bills Rebate?

- 1.1 This scheme helps to support households in Wirral with a £150 non-repayable Council Tax Energy Rebate in Council Tax bands A to D, and a Discretionary Energy Bill Rebate to support vulnerable households in need (jointly referred to as “the Energy Bills Rebate Scheme / the Scheme”).
- 1.2 This Policy is subject to change. Should any amendments or additions be required, the updated Policy will be republished here. All applications received the day following any published amendments to the Policy will be assessed in accordance with that updated Policy.

2. Why was the Scheme introduced?

- 2.1 The Scheme is part of a package of support to help households with rising energy bills. The government recognises that many households will need support to deal with the rising cost of household bills in 2022-23, driven by increasing energy bills. While these rising costs will affect most households across the country, they are more likely to disproportionately affect those on lower incomes, who tend to spend a higher proportion of their income on utility bills.

3. What are the main features of the Scheme?

- 3.1 The Policy aims to operate the Scheme under guidance published by the Department for Levelling Up, Housing and Communities in order to award Council Tax Energy Rebates for all residents who make a valid claim during the operation of the Scheme and satisfy the full eligibility criteria outlined in section 4 below.
- 3.2 Successful Council Tax Energy Rebate claimants will be awarded £150. Eligibility is assessed as individual, but only one Rebate may be awarded per eligible household. Council Tax Energy Rebates are not limited by budgetary constraints.
- 3.3 The Council may decide to make an alternative Discretionary Energy rebate, provided that the claimant can meet all criteria outlined in section 5 below. Successful claimants will be awarded up to £170.
- 3.4 Discretionary Energy rebate payments are limited by a budget allocated by government grant of £816,600 and the Council will not be able to fund payment once this has been spent. Successful claimants will typically be awarded up to £170, this may vary dependant on circumstances.

4. Am I eligible for an Energy Rebate?

- 4.1 To be eligible for a Council Tax Energy Rebate, a claimant must be a liable council tax charge payer (or a person who would otherwise be liable where the property is exempt) in respect of an eligible property in Leicester on 1st April 2022.
- 4.2 An eligible property for the purpose of the Council Tax Energy Rebate is defined as:

- valued in Council Tax Bands A to D, including property that is valued in band E but has an alternative valuation band of band D, as a result of the disabled band reduction scheme; and • someone's sole or main residence; and
- is a chargeable dwelling, or in exemption classes N, S, U or W; and
- the person who is liable to pay the council tax (or would be if the property is not exempt) and is not a non-resident landlord, a local authority, a corporate body or other body such as a housing association, the government or governmental body; and
- in respect of which no Council Tax Energy Rebate has already been awarded, regardless of the number of occupants or liable council taxpayers.

4.3 This means that:

- A property that meets all the criteria but has a nil council tax liability as a result of local council tax support, will be eligible.
- A property that has no permanent resident and is someone's second home will not be eligible.
- An unoccupied property (for the purposes of calculating council tax) will not be eligible.

This list is not exhaustive, and the Council may use their judgement in consideration of the aims of the scheme, which is to support households with domestic energy costs.

- 4.4 For the purpose of the Council Tax Energy Rebate, a household is defined as a person or group of persons occupying a single dwelling, as defined in section 3 of the Local Government Finance Act 1992.
- 4.5 Council Tax Energy Rebate eligibility will be determined based on the position at the end of the day on 1st April 2022. Where the Council has reason to believe that the information we hold about the valuation list, liable taxpayer(s) or resident's circumstances in respect of 1st April 2022 is inaccurate, we will withhold the payment and take reasonable steps to determine the correct information.
- 4.6 Where records relating to the liable taxpayer(s) or residents' circumstances in respect of 1st April 2022 are retrospectively updated, the Council will take reasonable steps to pay or clawback payments.
- 4.7 If more than one individual is responsible for energy bill payments in your household, your Discretionary Energy Rebate award may be reduced – for example, a payment of £75 if two people are liable for payments.

- 4.8 Where the property band recorded on a valuation list is amended retrospectively to 1 April 2022, for example because of a successful appeal made to the Valuation Office Agency ('VOA') that concluded after this date, the Council is not required to pay or clawback payments. The exception is where a property is a new build and awaiting an official banding from the VOA. In these cases, eligibility will be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1st April 2022.
- 4.9 Be part of a household meeting Council Tax Energy Rebate eligibility criteria following a VOA decision made following a review, proposal or appeal made before 3rd February 2022. Where a review, proposal, or appeal pre-dating the announcement on 3rd February 2022 is successful after 1st April 2022 and as a result, a property would have been eligible for the rebate, the Council will be able to provide support using the Discretionary Energy Bill Rebate.
- 4.10 If a household does not tell the authority their preferred payment method by 31 July 2022 when asked to do so, or does not cash in a post office voucher within the permitted time, the authority will take this as an indication that the household wishes to receive the support as a council tax account credit. We will inform the charge payer which council tax account year the money has been credited to. The council can choose whether to allocate this to the financial year 2022-23, or any year(s) where a council tax charge is in arrears.

5. Am I eligible for the Discretionary Energy rebate?

- 5.1 In order to be considered for the Discretionary Energy rebate, a claimant must be an energy bill payer occupying a property in the Wirral as a sole or main residence and not part of a household eligible to receive a Council Tax Energy Rebate.
- 5.2 Prior to inviting applications, the Council will first seek to award Discretionary Energy Rebates to the following vulnerable households identified in 2022/23 as meeting at least one of the following conditions:

Group 1 - Council Tax payers at 1st April 2022 in bands E to H who were receiving council tax reduction on that date (no application required). **Proposed Award £170.**

Group 2 - A 'top-up' payment to Council Tax payers at 1st April 2022 in bands A – D who were receiving council tax reduction or SMI Exemption on that date (no application required). **Proposed Award £20.**

Group 3 - Residents that have been confirmed as eligible for Council Tax exemption due to being Severely Mentally Impaired as at 1st April 2022. Outside of Bands A-D (no application required). **Proposed award £170.**

Group 4 - Council Tax payers who become liable after 1st April 2022 in bands A to D and have not previously been awarded the energy rebate. **Proposed Award £150.**
Application Required

Group 5 - There will be a fund of approx. £50k-£100k for applications to be made during a closed period to help those not supported by the main scheme or the above groups but are not excluded (see below). For example, residents who were liable on or after 1st April 2022 who have not been supported through main scheme or are not supported by the earlier groups, or residents who are not the liable Council Tax payer but are liable for the energy bills for the property they reside in. **Proposed Award £150. Application Required**

5.3 There will be exclusions to the proposed schemes –

- With the exception of **Group 2** mentioned above, no discretionary payment will be made to a household that has already received a payment under the Council Tax Rebate scheme.
- Parties liable for Council Tax (or would be where the property not exempt) that are a local authority, a corporate body or other body such as a housing association, the government or governmental body, are ineligible for any award under this scheme.
- Students living in halls of residence are ineligible for an award under this scheme.

5.4 No further awards can be made when funding has been exhausted. All applications must be made together with any required evidence by 15th November 2022.

6. How do I apply?

6.1 If you are liable for a property eligible for the Council Tax Energy Rebate and are making payments by Direct Debit, you do not need to make an application - an automatic payment will be made as early as possible in the 2022-23 financial year, as long as the name on your bank details matches a liable party for Council Tax. Where multiple residents of an eligible household are jointly and severally liable for council tax, and the Council holds live direct debit instructions for that household, the full £150 payment will be made to the direct debit account.

6.2 If you do not pay by direct debit, we will send you a letter providing instructions on how to make an application.

6.3 If no application is received, we will credit your Council Tax account. If you pay by direct debit and we are unable to match your account details, we will write to you to confirm your payment preferences.

6.4 Rebate payments are made on the basis that you were a liable council tax charge payer (or would have been if the property were not exempt) and that the property met the criteria set out at paragraph 11 on 1 April 2022. If this is not the case, the grant may be liable for recovery. The grant is being provided to support all residents of the household.

6.5 If you have not received an automatic award and wish to apply to the Discretionary Energy rebate and meet the criteria, you will need to apply using the online form on our webpage.

- 6.5 If you are unable to complete the online form, please ask for your family or friends to do so on your behalf. Alternatively, email energyrebate@wirral.gov.uk, or contact us on 0151 606 2002, Option 4 between the hours 9.00am to 5pm Monday to Friday to assist you to complete the form.
- 6.6 Applications may be made by a claimant; someone else on the claimant's behalf; or, by their representative with authority to act on their behalf i.e., Power of Attorney; Appointee; or any other authorised third-party representative such as housing officers and social workers.
- 6.7 Applications can be made at <https://www.wirral.gov.uk/council-tax/£150-energy-payment>

7. What do I need to provide with my Discretionary Energy Rebate application?

- 7.1 If you need to make an application for the Discretionary Energy Rebate as outlined in section 6, and are not a liable party on your bill, you will need to provide a recent (within three months) energy bill showing your name. Electronic copies are acceptable.
- 7.2 You can choose to have your payment paid via BAC's or be credited against your council tax account.
- 7.3 If it is subsequently identified that a payment under the Scheme has been awarded because of false or fraudulent information, including the claiming of duplicate awards, the Council reserves the right to withdraw the award and recover the resulting sum due.

8. How will I be notified of the decision?

- 8.1 The Council will provide a notice of awards on the following basis:
- a. The rebate into the bank account for payments by Direct Debit is the notification. The entry will show 'Energy Rebate' and the value of the rebate.
 - b. The rebate payment onto the chosen council tax account will not normally receive a notification.

Discretionary energy rebate recipients will receive:

- a. in case of a refusal a summary of the factors considered in reaching the decision, provide details of how to request a review or obtain more information about the decision.
- b. provide details of how the award (if any) will be made.

9. What can I do if I want the decision to be reviewed?

9.1 There will be no automatic right of appeal against a decision not to award a grant, or against the value of any grant. However, the Council may at its discretion reconsider any refusal or grant value if there is clear evidence that a significantly wrong decision may have been made. Claimants may request in writing that the Council looks again at the decision within one calendar month of the decision notice where:

- a. they have not been awarded an Energy Rebate or Discretionary energy rebate payment; or,
- b. they disagree with the recovery of payment made under the Scheme.

9.2 Requests for review must be:

- a) submitted in writing to EnergyRebate@wirral.gov.uk or by post to Wirral Council PO Box 290. Wallasey CH27 9FQ;
- b) addressed to the Head of Revenues.
- c) received at the Council offices within one calendar month of the date of the decision notice. In the case of the main scheme any appeal must be submitted by the 15th September (Main Scheme) 15th November (Discretionary Scheme) to allow for a decision to be reviewed before the 30th September & 30th November respectively.
- d) signed by the claimant, their appointee or agreed third party representative.
- e) outline the reasons for review, providing any new evidence required.

9.3 Applicants will not have the right of review where:

- a) their request is received by the Council more than one calendar month after the date of the decision notice; unless good cause can be shown for the delay; or,
- b) the Council has already decided on a previous request for review in respect of the matter; unless significant new information is identified; that would have a direct bearing upon the original decision; or,
- c) there is no clear evidence that a significantly wrong decision has been made.
- d) The request for the review is received too late for the council to make a decision within the permitted timescales as detailed in 9.2 c).

9.4 Any request for review of the decision under this scheme will be determined within one calendar month of receipt of the request or by the final deadline as detailed above.

9.5 No reviews will be considered after the Scheme has ended, or in respect of the Discretionary Energy Rebate after all available funds have been exhausted.

- 9.6 Any review will be considered on its own merits, in the light of all relevant circumstances at the time (as described in the eligibility guidelines in section 4).
- 9.7 The review request must give the reasons why the applicant considers the original decision should be amended and may include new or additional information relevant to the request to change the original decision. The Council may require further supporting evidence to be provided.
- 9.8 The reviewing officer (who will not be the original decision maker) will review the original decision, and each review will subsequently be considered by a panel including a senior officer, the operational officer for Policy and an operational leader. The outcome of the review request will be notified to the claimant within one calendar month of its receipt or the receipt of relevant supporting information.
- 9.9 The only further recourse available to applicants is a judicial review, which is how the decisions of the Council under discretionary powers may be challenged. The High Court may be asked to consider whether the Council has acted within its powers.

10. How does the Council prevent fraudulent claims for the Scheme?

- 10.1 If you falsely declare your circumstances, provide a false statement, or provide false evidence in support of your application, you may have committed an offence under the Fraud Act 2006.
- 10.2 Wirral Council has a zero-tolerance approach to fraud and financial irregularity. All suspicions of fraud relating to this scheme may be referred to Merseyside Police. In addition to any criminal action, the Council will seek to recover all fraud losses.
- 10.3 Bank account details provided as part of an application are verified to ensure payments are made to the correct bank account and to help prevent fraudulent activities.

11. Are the application form and this document accessible in other formats?

- 11.1 No, however assistance to complete the application is available at 0151 606 2002, Option 4 between the hours 9.00am to 5pm Monday to Friday

Appendix A: Background and Legislative Framework

1. Finance and Monitoring

- 1.1 The Council will operate the scheme under Government guidelines. Funds available for Energy Rebate are not cash limited. Discretionary Payments are limited by government grant and cannot be increased.
- 1.2 The Revenues & Benefits Department will undertake monitoring of the number and amount of energy rebate payments and discretionary payments in relation to the available relevant budgets. The purpose is to ensure the Discretionary Energy budget will not exceed the government fund throughout the period of the scheme.
- 1.3 The Council will also monitor cases where a request has been refused to ensure decisions are being made fairly and consistently. The Council is subject to the general equality duty.
- 1.4 This means that steps will be taken to monitor implementation of this policy to ensure no one is subject to disproportionate adverse treatment because they had a protected characteristic. The general equality duty requires that the Council has due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share relevant protected characteristic that are different from the needs of persons who do not share it
 - Foster good relations. V1 Publication Date 30th July 2022

2. Legislative framework & equality monitoring arrangements

- 2.1 The Council may use any evidence and information supplied to it in respect of the Scheme to check the eligibility of the applicant in respect of this scheme or any other welfare benefit, discounts, or exemptions in compliance with its powers and obligations under Data Protection Act 2016 and other legislation. Our data sharing and fair processing detail can be found at the following web link:
<https://www.wirral.gov.uk/council-tax/council-tax-privacy-notice>