

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

1. What are Test & Trace Support Payments?

1.1 This scheme helps to support Leicester residents who receive a positive Covid-19 test result or are asked to self-isolate via a contact by the NHS Test & Trace Team between 28th September 2020 and 31st January 2021, or identified as a close contact by the NHS COVID-19 App between 10th December 2020 and 31st January 2021. Applicants must demonstrate that they satisfy the relevant eligibility criteria for either a Support Payment or a Discretionary Payment (jointly referred to as “the Scheme”).

1.2 This Policy is subject to change. Should any amendments or additions be required, the updated Policy will be republished at <https://www.leicester.gov.uk/your-council/coronavirus/council-tax-and-financial-support/test-and-trace-support-payment/>. All applications received the day following any published amendments to the Policy will be assessed in accordance with that updated Policy

2. Why is the Scheme being introduced?

2.1 To enable residents who are employed or self-employed, on low income and as a direct result of the instruction to self-isolate suffering financial loss, when directed to do so by NHS Test & Trace from 28th September 2020 to 31st January 2021, or when identified as a close contact by the NHS COVID-19 App from 10th December 2020 to 31st January 2021. Failure to self-isolate can lead to fines starting at £1,000 and increasing to £10,000 for multiple or serious breaches.

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 Communities & Local Government in order to make Support Payments for all residents who make a valid claim during the operation of the Scheme and satisfy the full eligibility criteria outlined in section 4.1 below.

3.2 Successful claimants will be awarded £500. Eligibility is assessed as per individual, as opposed to per household. Support Payments are not limited by budgetary constraints.

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

3.3 The Council may decide to make an alternative Discretionary Payment, provided that the claimant can meet all criteria outlined in sections 4.2 to 4.5 below. Successful claimants will be awarded £500.

3.4 Discretionary Payments are limited by a budget allocated by government grant of **£114,187.09** and the Council will not be able to fund payment once this has been spent.

4. Am I eligible for support?

4.1 In order to be eligible for a Support Payment, a claimant must meet **all** the following criteria:

- be resident within Leicester;
- have been asked to self-isolate by NHS Test and Trace either because they've tested positive for coronavirus or have recently been in close contact with someone who has tested positive, or from 10th December 2020 have been identified as a close contact by the NHS COVID-19 App;
- be employed or self-employed;
- be unable to work from home and will lose income as a result;
- 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, and
- Has not already received a Support Payment in respect of their current period of self-isolation.

4.2 In order to be considered for a Discretionary Payment, a claimant must meet **all** the following criteria:

- be resident within Leicester;
- have been asked to self-isolate by NHS Test and Trace either because they've tested positive for coronavirus or have recently been in close contact with someone who has tested positive, or from 10th December 2020 have been identified as a close contact by the NHS COVID-19 App;

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

- be employed or self-employed;
- be unable to work from home and will lose income as a result¹;
- be able to demonstrate the need for financial assistance in order to self-isolate as defined in the criteria at 4.3 and 4.4; and
- have not received a payment under the Scheme for their current period of self-isolation.

4.3 In order to be considered for a Discretionary Payment, a claimant must also meet **at least one** of the following criteria:

- Be in receipt of or able to demonstrate eligibility for Disability Living Allowance, Personal Independence Payments, Attendance Allowance or Severe Disability Allowance;
- Be in employment of less than six months or otherwise not have entitlement to Statutory Sick Pay;
- Be in receipt of one of the following benefits: State Retirement Pension, contribution-based or 'new style' JobSeekers' Allowance, contribution-based or 'new style' Employment & Support Allowance, or Council Tax Support.
- Have made a claim or undergoing an appeal for one of the qualifying benefits in 4.1, having been without funds for at least 14 days after the anticipated payment date;
- Demonstrate exceptional circumstances not otherwise outlined in this section, at the discretion of the Council.

4.4 In considering whether a Discretionary Payment should be made, the Council will also take the following into account:

- Whether your occupation has been identified as unlikely to be able to work from home and your employment is considered vulnerable for example

¹ You will not be eligible if you receive sick pay which covers your full wage, but will be eligible if this covers only part of your wages, or you receive Statutory Sick Pay. You will not be eligible if you are furloughed, as you are not classed as working unless you have continued to work part-time prior to your period of self-isolation.

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

factory work, pubs, restaurants, gyms, beauty salons, hairdressers or childcare²;

- Whether your employment is considered vulnerable, for example a temporary or 'zero hours' contract, or earnings received on a weekly basis;
- Your level of available savings;
- The extent to which your available income has reduced due to self-isolation.

The claimant is not required to provide any additional evidence of these factors over and above the evidential requirements outlined at 5.1 below.

4.5 In order to be considered for a Discretionary Payment, the following criteria must **not** apply:

- Be a Person Subject to Immigration Control as defined by the Housing Benefit Regulations (I.e. have No Recourse to Public Funds).

4.6 Applications under the Scheme must be made and completed within 14 days of the last day of your period of self-isolation ending. After this date, we will be unable to provide support. For example:

- You first experienced Covid-19 symptoms on 1st October, are tested on 3rd October and receive a positive test result on 5th October and are notified of your unique Test & Trace Reference. Your period of self-isolation runs for 10 days, from 1st October to 10th October. The last date you could submit a completed application would be 24th October.
- You are contacted by the Test & Trace team on 8th October, informing you that you were in contact with an individual who has subsequently received a positive Covid-19 test and providing your unique Test & Trace Reference. Your registered contact was on 4th October, and your period of self-isolation runs for 14 days, from 4th October to 18th October. The last date you could submit a completed application would be 1st November.

2. **What do I need to provide with my application?**

² These are all industries which have received direct government financial support locally during the COVID-19 pandemic since March 2020.

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

5.1 We will, for all applications under the scheme, ask you to provide the following evidence in order to verify your identity and ensure you meet the eligibility criteria:

- a notification from NHS Test and Trace asking you to self-isolate (this will include a Unique ID number);
- a bank statement, which if you are applying for a Discretionary Payment must cover the period of the last two months before your application date; and
- proof of employment, or, if you are self-employed, evidence of self-assessment returns, trading income and proof that your business delivers services which cannot be undertaken without social contact.

We will be unable to consider your application unless all of the above evidence is provided, either with the application form or emailed to C19selfisolation@leicester.gov.uk. Scanned or photographed evidence is acceptable.

5.2 Where the conditions at 4.2, 4.3, 4.4 and 5.1 are met, we will consider your personal circumstances to the extent set out in the criteria for Discretionary Payments. This will however be limited to circumstances which are relevant to demonstrate the need for financial assistance in order to self-isolate.

6. How do I apply?

6.1 Applications to the Scheme should be made using the online form at <https://www.leicester.gov.uk/your-council/coronavirus/council-tax-and-financial-support/test-and-trace-support-payment/>. The form will not be immediately available at the outset of the Scheme – if this is currently the case, please complete the ‘intention to claim’ form and you will be contacted when the full form is available.

6.2 If you are unable to complete the online form, please email C19support@leicester.gov.uk, or ask for your family or friends to do so on your behalf. Alternatively, contact customer services on 0116 454 1019 between the hours 8am to 6pm Monday to Friday to assist you to complete the form.

6.3 In all circumstances, including 6.1 and 6.2 above, we will not consider that a valid eligible application has been made until you have been able to submit a form and

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

provide all required evidence, and we have been able to verify your unique Test & Trace reference number. If this is not the case within the time limits prescribed in 4.6 above, you will not be entitled to receive a payment under the Scheme for your current period of self-isolation. There is no facility for applications under the Scheme to be backdated.

6.4 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.

6.5 Applications may be made by a claimant or someone else on the claimant's behalf. The Council will accept referrals by email to C19Support@leicester.gov.uk from:

- a) Leicestershire County Council, Leicestershire District Councils; and, Rutland Unitary Authority on behalf of Leicester City residents;
- b) Leicestershire and Rutland Combined Fire Authority;
- c) Leicestershire Policy Authority.

6.6 The Council will accept applications on Leicester City Council's Test & Trace Support Payments application form from:

- a) third sector organisations i.e. Citizen's Advice Bureau;
- b) Leicester City Council internal partners i.e. Welfare Rights Service; Adult and Children's Services;
- c) a third party to whom it might be appropriate³.

7. How will I be paid?

7.1 Payment will be made to your bank by BACS within 3 working days of your eligible application being made where possible, and should appear as a credit in your account within 3 working days afterwards. No eligible application will be considered to have been made until all required evidence is received and checked. No payment can be made unless the applicant's name matches that of the bank statement provided with the application. If you do not have a bank account, or your bank account is overdrawn,

³ Accompanied by the relevant Authorisation to Discuss form also found on this website.

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

please see the advice provided in the 'Frequently Asked Questions' at <https://www.leicester.gov.uk/your-council/coronavirus/council-tax-and-financial-support/test-and-trace-support-payment/>.

7.2 If it is subsequently identified that a payment under the Scheme has been awarded as a result 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. The Council also reserves the right to refer suspected fraud and any suspected failure to self-isolate to the Police.

8. How will I be notified of the decision?

8.1 The Council will provide a written notice of its decision to the applicant or their representative, by email as a first resort, or by post where this is not possible. The decision notice will set out:

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

8.2 On the provision of all satisfactory requested information, together with validation of the unique identifying number, a decision will be made, where practicable, within 3 working days.

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 a Support Payment or Discretionary Payment; or,

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

b) they disagree with the recovery of an overpayment.

9.2 Requests for review must be:

- a) submitted in writing to C19selfisolation@leicester.gov.uk or by post to York House, 91 York Street, Leicester LE2 6FB;
- b) addressed to the Head of Revenues and Customer Support;
- c) received at the Council offices within one calendar month of the date of the decision notice;
- 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 made a determination of 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.

9.4 Any request for review of the decision under this scheme will be determined within one calendar month of receipt of the request.

9.5 No reviews will be considered after the Scheme has ended, or in respect of Discretionary Payments 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

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

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 the means by which 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 Leicester City Council has a zero-tolerance approach to fraud and financial irregularity. All suspicions of fraud relating to this scheme will be referred to Leicestershire Police. In addition to any criminal action, the Council will seek to recover all fraud losses.

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

11.1 If you would like a hard copy or large print version please contact Leicester City Council on 0116 454 1006 or via email at SDIO@leicester.gov.uk or by post at the following free post address: Freepost RTRE-HTRJ-CSSJ, Service Improvement Team, Leicester City Council, Revenues & Benefits Department, York House, 91 Granby Street, LEICESTER, LE1 6FB.

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

11.2 The online form is accessible in relation to many forms of disability, including compatibility with read-to-user technology. Decision awards and notifications will also follow in this format.

Appendix A: Background and Legislative Framework

1. Finance and Monitoring

1.1 The Council will operate the scheme under Government guidelines. Funds available for Support Payments are not cash limited. Discretionary Payments are limited by government grant and cannot be increased.

1.2 All payments under the Scheme are taxable, and reported to HMRC for tax purposes.

1.3 The Revenues & Customer Support Service will undertake monitoring of the number and amount of support payments and discretionary payments in relation to the available relevant budgets. The purpose is to ensure the Discretionary Payment budget has sufficient funds to meet demand throughout the period of the scheme.

1.4 The Council will also monitor cases where a Discretionary Payment request has been refused to ensure decisions are being made fairly and consistently. The Council is subject to the general equality duty.

1.5 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

LCC Test & Trace Support Payments and Discretionary Scheme 2020-21

- Foster good relations. **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:
<http://www.leicester.gov.uk/your-council-services/council-and-democracy/key-documents/internet-disclaimer/>