

Council Tax Disregard – London Borough of Hounslow

Disregard Description	Criteria
Persons in Detention	Disregard applies to all persons detained by order of a court both in prison and on remand it also includes Immigration Act 1971 (deportation), Mental Health Act 1983 and members of the armed forces for people detained under relevant legislation. This disregard is awarded for any period and is not subject to the usual rules regarding sole or main residence. It will not however be awarded if in prison for non-payment of Council Tax but is awarded if imprisoned for non payment of Community Charge or Non Domestic Rates .
Severely Mentally Impaired	Severe mental impairment criteria is stated as; Persons who have a severe impairment of intelligence and social functioning (however caused), which appears to be permanent. Must also be entitled to one of qualifying benefits; Incapacity Benefit Attendance Allowance Sever Disablement allowance Care Component of DLA (higher or middle rate) An increase in the rate of disablement pension Disability Working allowance (qualifying benefit is IS etc) Qualifying Forces Pensions Income Support (which includes a disability premium)
Persons in respect of whom Child Benefit is Payable	Child benefit is normally paid to those persons over 18 who are still studying in further education. In effect this disregard extends beyond 18 th birthday the period that certain young people are not counted for council tax purposes. (Under 18's are not classed as being resident). Proof of Child Benefit may be requested (now mainly direct credit transfer)
Full Time Students	The term student covers; 1. Any person who is enrolled in a full time course of education at a prescribed educational establishment – for at least one academic year or calendar year. Students are required to attend the course for periods of at least 24 weeks in the year and be required to study for at least 21 hours per week on average when in attendance. 2. A person under 20 undertaking a qualifying course of further education (at least 3 months for 12 hours per week) not evening, correspondence 3. Foreign Language assistants (see below 5d) For proof of student status we may request a Certificate from the college – it is not obligatory for a student to hold a certificate but if the Local Authority require one then the student may request from the educational establishment who have a duty to supply one on request. The disregard will apply for the period of the course ending on the day the course finishes.
Student Nurses	The traditional student nurses studying for a qualification under the Nurses, Midwives and Health Visitor Act 1979 qualify under this disregard. Those on a full time course at

	college or university qualify under the previous class of academic students.
Apprentices	A person is an apprentice, regardless of age, provided that he or she is employed for the purpose of learning a trade or profession and is undertaking a training programme leading to a qualification accredited by the National Council for Vocational Qualification (NCVQ). This however only applies if the person is employed at a salary of no more than £160 per week (the limit excludes O/T and bonuses and is before tax and similar deductions). This amount was £130 until 1 st April 1998.
Youth Training Trainees	Youth Training Trainees will be disregarded for the full period of training. They must be under 25 and undertaking training through arrangements made under Employment and Training Act 1973 provided that the scheme is recognised under Section 28 of Social Security Contributions and Benefits Act 1992.
Foreign Language Assistants	Foreign Language Assistants are classed as students for any period whilst appointed at School or other educational establishment anywhere in Great Britain. Provided that they are registered as Foreign Language Assistants with the Central Bureau for Educational Visits and Exchanges.
Non British Spouses of Students	This disregard is awarded to the spouse or dependent of student where they are not a British citizen and are prevented from taking paid Employment or Claiming Benefits whilst in the UK. The disregard remains in place whilst qualifying persons student status lasts.
Hospital Patients	Person will be disregarded if he or she is a patient who has their sole or main residence in a hospital. For this disregard the term hospital refers to National Health Hospitals (National Health Service Act 1977) and armed forces hospitals only. Disregard does not apply to Private Hospitals.
Patients in Homes	This applies to someone who is resident in a Residential Care Home, Nursing Home, Mental Nursing Home or Hostel in England or Wales and is receiving Care or Treatment. This care can be for the Elderly, Physically or Mentally Disabled, Alcohol or Drug Dependency. This does not apply to resident staff. The term resident is defined as any person of 18 years or more who has his/her sole or main residence in the dwelling concerned.
Carer Employed by a Relevant Authority	The carer must meet the all following criteria to qualify for the disregard; Providing support through the Crown, Charity or Local Authority Employed for at Least 24 hours per Week Paid no more than £36 per week (was £30 until 1998) Resident where the Care is given or in premises provided for better performance of the work
Carer for Person in Receipt of Relevant Allowance	The alternative qualifying criteria for a carers disregard are (all must be met to qualify); Providing Care to a person entitled to specified state benefit

	<p>Higher Rate Attendance Allowance Highest Rate of the Care Component of DLA Appropriately increased rate of disablement pension Increase in constant attendance allowance Providing Care for at least 35 hours a week on average Not a Disqualified Relative of the person being cared for (Disqualified relative is a Spouse or live together a husband and wife or parent of a child under 18.)</p>
Residents of Certain Dwellings	<p>Anyone resident in accommodation for the homeless (e.g. hostels, night shelters) will be disregarded whilst residing there. To qualify the accommodation must not be self contained units and must be for persons of no fixed abode and no settled life they must reside there under Licences to Occupy that do not constitute tenancies.</p>
Members of Religious Communities	<p>This disregard covers the members of religious communities where the principal occupation is prayer, contemplation, education and relief of suffering or any combination of these. The person must have no income of their own, no capital and must be dependent on the community for their material needs. They may however have an occupational pension due to former employment</p>
Members of International HQ and Defence Organisations	<p>Members and dependents of International HQ and defence organisations qualify. The organisations are designated under s.1 of the International Headquarters and Defence Organisations Act 1964</p>
School and College Leavers	<p>This applies to young persons under the age of 20 where they have ceased taking a further a further education Course between 1st May and 31st October in any year. The disregard lasts until 1st November. The qualifying rules for course criteria and educational establishment are as per student status.</p>
Members of Visiting Forces and their Dependants	<p>Person is disregarded if he/she has a 'Relevant Association' with a qualifying force. The person may be a member of the force or part of the civilian component or the dependant of a member (does not apply to UK citizens or normally resident in UK). A Visiting force is one from a country to which the Visiting Forces Act 1952 applies - Certificate may be requested under s. 11 of 1952 act. If the person is liable an exemption class P applies so disregard can only be given where person is a non-labile member of the household.</p>
Persons with Diplomatic Privilege or Immunity	<p>Disregard applies to any person who is classed as a Diplomat under the Diplomatic Privileges Act 1964, Commonwealth Secretariat Act 1966, Consular Relations Act 1968, Commonwealth Countries & Rep of Ireland (Immunities and Privileges) order 1985. All details may be checked with Protocol Office. They must not be a British; subject, citizen, dependant territories citizen, national (overseas) or a permanent resident in UK. Prior to 97 any debt could not be enforced because the Vienna Convention grants all diplomats immunity from criminal, civil and administrative jurisdictions. If the person is liable an exemption (class V) applies so disregard can only be given where person is a non-labile member of the household.</p>

