

PARTNERSHIP

1. Local authorities, enforcement agencies and advice agencies should meet regularly to discuss practical and policy issues with a recommendation to meet quarterly at officer level and annually with elected members

2. All parties should have dedicated contacts accessible on direct lines and electronically so that issues can be taken up quickly

3. All parties should promote mutual understanding by providing training workshops, undertaking exchange visits and sharing good practice.

4. As local authorities are responsible for the overall collections process, they should ensure all their staff, external contractors and enforcement agencies receive the appropriate training, particularly on vulnerability and hardship.

5. Advice agencies, enforcement agencies and local authorities should work together to develop a fair collection and enforcement policy, highlighting examples of vulnerable people or those who find themselves in vulnerable situations, and specifying clear procedures in dealing with them. Contractual arrangements with enforcement agents should specify procedures for the local authority to take back cases involving vulnerable people.

6. Local authorities should consider informal complaints as debtors may be afraid to complain formally where enforcement agent activity is ongoing. Informal complaints received from advice agencies can indicate problems worthy of further investigation both locally by the local authority and by referral to national bodies.

INFORMATION

1. All parties should work together to produce letters that clearly and consistently explain how council tax bills have been calculated (including any Council Tax Support award). Council tax bills should make clear council tax is a priority debt and explain the consequences of not making payment by the date specified. As far as possible within the constraints of systems, where a taxpayer has council tax arrears, the letters should explain how the debt has been accumulated and over which time period, the layout and language of bills and letters should be easy to understand, with any letters including a contact phone number and email address. All information should also be made available online in a clear format.

2. Local authorities should consider reviewing payment arrangements and offer

RESPONSE

Meetings are currently undertaken with EAs and CAB, this is being strengthened with a commitment to full representation. At this point the volume of matters that present doesn't warrant a meeting with all parties at the same table. This is constantly reviewed and if the position changes will be revisited. An annual report will be submitted to JC by way of briefing elected members

This is in place with key contactable available via different access channels, and is updated as changes demand. It is key to effective communication

To be included in the service plan for delivery from 01.04.19 and incorporated in liaison meetings

All staff of the authority and contractors are trained to recognise where hardship / vulnerability may be present. This is always a primary consideration when awarding contracts to Enforcement agents.

The partnership are committed to working with partners and stakeholders in ensuring our most vulnerable are dealt with appropriately. We are in the process of re-awarding our enforcement contract and this remains a priority.

All three partner authorities consider complaints both informally and formally. Investigations are undertaken in a timely manner and lessons learned and implemented if findings demand this.

Partners work together to ensure documentation is clear and the customer is able to understand key messages. This includes wider groups such as the communications team. Additionally customers are able to log in and view their demands and documentation on line so they can view their account at their convenience.

This is in place and on some occasions payments arrangements are spread over

more flexible options, including, subject to practicality, different payment dates within the month, spreading payments over 12 months and, potentially, different payment amounts to assist those on fluctuating incomes. This can allow people to budget more effectively.	12 months. To limit to 12 months only would cause further financial hardship to some customers
3. Local authorities and enforcement agents should publicise local and national debt advice contact details on literature and notices. Advice agencies can help by promoting the need for debtors to contact their local authority promptly in order to agree payment plans. Parties can work together to ensure the tone of letters is not intimidating but encouraging of engagement.	Where appropriate debtors are encouraged to engage with advice services. Advice agencies can provide a holistic approach but need to be mindful that council tax is a priority debt and the consequences of failing to agree to payment terms can be serious
4. Local authorities should ensure that enforcement agencies have appropriate information about the council tax debts they are recovering, so they can put this in letters they send to debtors and answer any questions.	Changes in legislation around EAs is very clear. All relevant information is provided to the EA at the time of referral.
5. Local authorities should consider providing literature about concerns council tax debtors may have about enforcement agents and enforcement. Information could cover charges enforcement agencies are allowed to make by law, how to complain about enforcement agent behaviour or check enforcement agent certification and further help available from the local authority or advice agencies.	This is widely available online , literature may not reach the target audience as debtors tend not to present to any face to face venues.
6. All parties should work together to review and promote better engagement by council taxpayers. This should include information on how bills can be reduced through reliefs, exemptions and council tax support schemes, advising taxpayers that they should contact the local authority if they experience financial hardship and the consequences of allowing priority debts to accumulate. Information and budgeting tools should be made available on local authority and advice agency websites, via social media and at offices of relevant agencies. This is an opportunity for joint campaign work.	This currently happens though more extensively than is suggested. Joint campaign working will be considered where appropriate and where value is added to all parties. Staff are trained to identify that the debtor has been billed correctly and all that all reductions have been applied if they are entitled.

RECOVERY

1. Local authorities and enforcement agencies should work in partnership with advice agencies on the content, language and layout of all documents, produced by the local authority and agents acting on its behalf which are part of the enforcement process. This should aim to ensure that the rights and responsibilities of all parties, particularly those of the debtor, are clearly set out.	Advice agencies will be invited to comment on documentation, this will be a positive move for all parties and for agencies to have a clear understanding of the process. It is felt that the current wording on correspondence in terms of the ability to appeal etc is sufficient to provide adequate guidance on rights
2. Enforcement agents should provide the debtor with a contact number and email address should they wish to speak to the local authority.	All contacts are available and provided if requested. Prior to enforcement, customers are encouraged to contact the authority with a review to agreeing repayment without EA referral.
3. Local authorities should keep all charges associated with recovery under regular review to ensure they are reasonable and as clear and transparent as possible and reflect actual costs incurred. Enforcement agents should only make charges in accordance with council tax collection and enforcement regulations, particularly the Tribunal Courts and Enforcement Act.	Summons and Liability Order costs are reviewed annually, with a detailed breakdown available to support the calculation. Enforcement Agents charge strictly in accordance with the appropriate legislation.
4. Local authorities should periodically review their corporate policy on debt and	The recovery policy is periodically reviewed, together with deminimus amounts for

recovery, particularly what level of debt (inclusive of liability order fees) should have accrued before enforcement agent action, as enforcement will add additional costs to a debt.	recovery. It is noted that additional costs will be added to an account if action is taken; LRBPs encourage contact at every opportunity.
5. As part of their corporate policy on debt and recovery, local authorities should have a process for dealing with cases that are identified as vulnerable, bearing in mind that different local authorities may have different definitions of a vulnerable person or household. Any local definition of vulnerability should be developed in consultation with advice agencies and enforcement agencies and, wherever possible, the local authority should aim to publish clear guidelines on what constitutes vulnerability locally. Where a local authority's vulnerability criteria apply, in these cases, debts should be considered carefully before being passed to enforcement agencies. Where enforcement agents or other parties identify a vulnerable household, recovery action will be referred to the local authority.	Vulnerability (if known) is always considered before making referrals to EAs and cases taken back where vulnerability is subsequently identified. However, it should be noted that not all members of a household may be vulnerable and there will be occasions where referrals are still made. At every point of the recovery process we encourage engagement to try and resolve issues and encourage reasonable affordable repayment arrangements and to avoid additional costs.
6. Local authorities should regularly review and publish their policies which cover hardship, including how these relate to council tax arrears.	All LRBPs authorities review and publicise their policies around hardship. . Additionally there is legislation specific to hardship and there are Discretionary Discount schemes in place for those in receipt of LCTS. Staff will actively promote where appropriate too
7. Where a household is in receipt of Council Tax Support, the local authority should consider matters carefully and determine whether to pass such cases to enforcement agents, based on the individual circumstances of the case.	This is the case for all referrals, though it should be noted intent to pay is also a consideration together with the total value outstanding.
8. The debtor may have outstanding claims for Universal Credit, Council Tax Support or other benefit(s) which are contributing to their arrears. Local authorities can suspend recovery once it is established that a legitimate and relevant claim is pending.	If a legitimate and relevant claim is pending this would always be considered. Though need to be mindful this won't always be the case, there are occasions where spurious claims are made for the purpose of avoiding recovery actions
9. Local authorities and their enforcement agents should consider offering a 28 days hold or "breathing space" on enforcement action if debtors are seeking debt advice from an accredited advice provider.	Noted, and consideration will be given though not guaranteed. As with all other instances each case will be considered on an individual basis and on its merits. EAs hold action on cases where a meeting has been booked with the CAB.
10. Procedures should exist for debt advisers to negotiate payments on behalf of the taxpayer at any point in the process, including when the debt has been passed to the enforcement agent. In some cases, the debtor may only contact an advice agency following a visit from the enforcement agent	This is in place, Enforcement Agents will always look to make a repayment arrangement unless it is considered the debtor is wilfully refusing to repay.
11. Local authorities and enforcement agents should consider accepting and using the Standard Financial Statement (SFS) or Common Financial Statement in assessing ability to pay as long as this is consistent with securing value for money for all council tax payers.	Consideration will be given during the financial year 2019.2020. With an update provided as part of the liaison meetings and to the LRBPs Management Board
12. Each case should be examined on its merits and repayment arrangements need to be affordable and sustainable, while ensuring that the debt is paid off within a reasonable period. Where appropriate, local authorities should provide the flexibility to spread repayments over more than a year, including beyond the end of a financial year.	All cases are dealt with on an individual basis, and arrangements made subject to an individual's personal financial circumstances, and debts that may not be priority. This is subject to individuals engaging with us. There is an option to extend beyond the end of a financial year, whilst being mindful a new charge is levied each year.

13. Local authorities should prioritise direct deduction from benefits or attachment of earnings in preference to using enforcement agents. This avoids extra debts being incurred by people who may already have substantial liabilities.

14. Clarity should be provided to the debtor and enforcement agency as to which debts are being paid off, in what amounts and when, especially where a debtor has multiple liability orders. Where appropriate, debts should be consolidated before being sent to enforcement agents.

15. Local authorities should publish a clear procedure for people to report complaints about all stages of recovery action. Local authorities will regularly monitor and, subject to requirements of commercial confidentiality and the Data Protection Act, publish the performance (including complaints) of those recovering debts on their behalf and ensure that contractual and legal arrangements are met.

It is the preferred option to make attachments of either benefit or earnings before using Enforcement Agents. All possible action available (subject to known circumstances) will be taken before referral to Enforcement Agents.

Debtors are provided with detail of debt that is outstanding, together with detail of all recovery/enforcement action that is taken. The admin & enforcement regs does not provide for consolidation of debt. Whilst this may be considered good practice, this is not manageable.

Clear procedures are in place for **all** complaints, not just those of a recovery nature. Complaints are monitored, particularly around any areas that present frequently and intervention taken as appropriate. It is not agreed that the LA will publish complaint data of those working on behalf of the authorities.