Appendix 1

CORPORATE DEBT POLICY

Produced by:	Corporate Debt Group
Date Issued	April 2025
Agreed by Section 151 Officer	
Date of Next Review	April 2027

DRAFT

Contents

1. Introduction 5
2. Scope 5
3. Purpose and Objective 5
4. Principles 6
4.1 Minimising Debt: 6
4.2 Proactive Approach: 6
4.3 Preventative Measures: 6
5. Debt Priority 6
6. Providing Support and Advice 7
7. Customers with Multiple Debts 7
8. Assessing the Customer's Ability to Pay 8
9. Supporting Vulnerable Customers 8
10. Debt Recovery and processes 9
11. Evasion and Fraud 10
12. Write-off Policy 11
13. Right to Offset 11
14. Monitoring Performance 11
15. Equality Duty 12
16. Use of Data 12
17. Review 12
18. Customer Feedback and Complaints 12
Appendices 14
Appendix 1 - Business Rates/BID Recovery 14
Appendix 2 - Council Tax Recovery 15
Appendix 3 - Sundry Debts Recovery 16
Appendix 4 - Policies Specific to Unpaid Parking Penalties 18
Appendix 6 - Policies Specific to Recovery of Housing Options 23
Appendix 7 - Policies Specific to Recovery of Independent living 26
Appendix 8 - Code of Practice for Enforcement Agents 27
Appendix 9 - Write-Off Policy 29
Appendix 10 - Payment Methods 31
Appendix 11 - Supporting Financial Well-Being 33
Appendix 12 - Equality Impact Analysis 37

DRAFT

1. Introduction

1.1 This policy details the Council's corporate approach to income collection and debt recovery. The delivery of this policy is guided by the Corporate Debt Group which is overseen by the s151 officer, which includes representatives from all income and debt collection services across the Council.

1.2 Spelthorne Borough Council is committed to serving the community by ensuring that all owed revenue is collected efficiently and effectively. This benefits all taxpayers and helps to prevent anyone from falling into debt. The Council achieves this by adopting the principles of early contact and consolidated action.

1.5 The Policy not only demonstrates but also supports the Government's agenda to provide solutions that have prevention and intervention at their core. This forms the foundation for public and service delivery to local people.

2. Scope

2.1 The Policy covers all debts owed to the Council including:

- **Business Rates:** Charges on non-domestic properties for local services.
- **Business Improvement District (BID):** Extra charges on businesses for local projects.
- **Council Tax:** Tax on residential properties for local services.
- **Sundry Debts:** Various charges, including service fees and rents.
- **Parking Fines:** Penalties for parking infringement.
- **Housing Rents/Housing Benefit Overpayments:** Rent payments and overpaid benefits.
- **Housing Options:** Debts for housing advice and assistance services.
- **Independent Living:** Charges for services supporting independent living.

Please refer to Appendices 1-8 for the billing and recovery process

3. Purpose and Objective

3.1 The Council strives to be an outstanding organisation in terms of debt collection. The Policy outlines the use of best practice methods, providing high standards of customer service and treating all customers in a fair and inclusive manner. Special consideration is given to the needs of vulnerable customers. The Council ensures that individuals are treated consistently and fairly, and that their rights under the Data Protection Act 2018 and the Equality Act 2010 and Human Rights Act 1998 are protected.

3.2 When it comes to Council Tax, Business Rates, and Business Improvement District (BID) demand notices, the recovery process is set by law. Therefore, recovery notices are issued in line with legal timeframes.

DRAFT

3.3 In collecting income and recovering debt, the Council is committed to adhering to good practice. Good practice includes the recognition of fairness principles and that collection arrangements should be manageable and sustainable in the context of both the Council's duty to collect and a household's individual circumstances where e.g., clients are vulnerable.

3.4 Where possible, the Council aims to proactively prevent debt arising or escalating and will seek to keep customers informed so that they are fully aware of their obligations to the Council and are able to make good decisions that avoid additional costs and pressures. However, ultimately the Council will, where appropriate, escalate recovery actions to recover hard to collect debt. When it does so, it will maintain its fairness principles while applying the correct legal options.

4. Principles

The Policy is strengthened by the following principles:

4.1 **Minimising Debt:** The Council aims to reduce the levels of arrears, unmanageable debt provision, and write-offs. An open-minded and effective approach is taken, ensuring consistency in how customers in debt are dealt with across the Council. Support is provided to help customers manage their priority debts.

4.2 **Proactive Approach:** The Council ensures that customers are promptly made aware of their liabilities. It encourages customers to make contact at the earliest opportunity. This enables officers to consider customers' circumstances and their ability to pay, offering various methods of payment such as monthly, fortnightly, and weekly payment arrangements. These measures help customers manage their finances and could reduce hardship by agreeing to payment arrangements with more realistic repayment plans that assist the customer in managing their individual financial circumstances.

4.3 **Preventative Measures**: The Council advises on any housing assistance or taxation discounts, reliefs, and exemptions that customers may be entitled to. Assistance is provided with applications when appropriate, and customers are signposted to money advice, debt counselling, and other support services available through our partners and in the voluntary sector when additional assistance may be required.

5. Debt Priority

5.1 There is a hierarchy for claiming debts, with other authorities having priority over Council Tax arrears. It is not the size of the debt that makes it a priority, but the consequence of the action, such as rent arrears leading to the loss of a home. Payments on mortgages or secured loans and rent to banks and landlords therefore take priority over recovery of Council tax. The Council will follow the prioritisation requirements for areas of debt to be repaid as listed below:-

DRAFT

- Mortgage or Secured Loan
- Rent
- Council Tax
- Gas and Electricity
- Court Fines
- Maintenance arrears
- HMRC

6. Providing Support and Advice

6.1 The Council ensures that its staff are well-versed in dealing with customers and encourages customers to make contact as soon as they begin experiencing difficulties in paying their accounts.

6.2 The Council's bills and letters clearly show how the amount has been calculated, and every effort is made to ensure they are as easy to understand as possible.

6.3 The Council also advises individuals and businesses of the range of other discounts, reliefs, and reductions available at the time an account is issued and in subsequent communications.

6.4 During both face-to-face contact and telephone communications, officer's direct customers to where they can obtain further specialist advice on benefits and debt matters appropriate to their needs. Online signposting is also available to other agency websites, such as:

- Citizens Advice
- Money Advice Service
- Step Change
- Armed Forces – Royal British Legion and/or SSAFA
- and other appropriate support organisations (See Appendix 11)

6.5 Where appropriate, the Council works with other agencies to assist customers who are receiving help and liaises with them on a local level to solve issues and answer queries.

6.6 The Council keeps up to date with, and where possible, signs up to current best practice.

7. Customers with Multiple Debts

7.1 Addressing Multiple Debts:

The Policy of the Council promotes a flexible approach to working with customers to agree on the steps that need to be taken to help address multiple debts. In taking this approach, debt management will vary from debt to debt as different solutions will be required. Although the staff are not trained

DRAFT

debt counsellors, they will be able to signpost customers to help organisations detailed in Appendix 11.

7.2 Breathing Space Scheme

The Council adheres to the Breathing Space Scheme, which is a debt respite initiative launched on May 4, 2021. It provides essential protections for people residing in England and Wales who are struggling with debt.

7.3 Breathing Space is a period, during which an individual in problem debt is given a respite from creditor action for a period of 60 days. This allows space for the individual to fully engage with debt advice and seek a sustainable solution to their debts.

8. Assessing the Customer's Ability to Pay

8.1 During the recovery process, the Council will act in accordance with statutory regulations and advice issued by professional bodies such as Citizens Advice, Money Advice Service, and Money & Pensions Service.

8.2 In the recovery of multiple debts, the Council will strive to break the cycle of debt, particularly towards Council Tax and Business Rates, by encouraging payment for the current year. Subsequently, the Council will work with the customer to achieve an acceptable payment arrangement for recurring debts such as rent and Council Tax, aiming to reduce these within the customer's means, whilst ensuring a satisfactory level of repayment for the Council.

8.3 The Council will review payment arrangements to offer flexible options, including different payment dates and amounts, to assist those with irregular incomes.

8.4 The Council will strive to make payment arrangements with customers who are unable to settle their debt(s) in full. However, this may involve taking legal action against the customer where appropriate.

9. Supporting Vulnerable Customers

9.1 The Council ensures that arrears are pursued in a timely manner with a firm but fair approach. It is the policy of the Council to strive for a balance between customer care and the responsibility of collecting tax efficiently. The Council endeavours to be responsive to individual circumstances wherever possible.

9.2 The Council recognises that certain individuals will require more sympathetic and sensitive treatment and that some customers do not pay their debts for a variety of reasons. This may include poverty or other financial hardship, which the Council will endeavour to balance against its duty to collect.

9.3 Spelthorne Borough Council Customer Services manages a hardship policy and fund, which is designed to assist those who currently believe they are unable to pay due to hardship. The fund considers a one-off payment to help

DRAFT

reduce the level of arrears with the aim of educating the customer to pay their arrears through an agreed payment plan.

9.4 Vulnerability does not mean that a person will not be required to pay amounts they are legally obliged to pay. The cause of vulnerability may be temporary or permanent in nature, and the degree of vulnerability will vary widely.

9.5 While there are several characteristics which may cause an individual to be judged as vulnerable, the Council will consider each case on an individual basis, taking all relevant factors into account.

9.6 While there is no legal definition of a vulnerable person, generally persons considered vulnerable are likely to be those who have one or more of the following characteristics:

- Are elderly.
- Appear to be physically or mentally ill, severely disabled or suffering mental confusion.
- Have young children and severe social deprivation is evident.
- Are heavily pregnant.
- Are in mourning due to recent bereavement (of immediate family).
- Have difficulty communicating e.g. due to profound deafness, blindness, or language difficulties.
- Are in receipt of state benefits and/or on a low income and severe social deprivation is evident; and/or
- Are suffering from long term sickness or serious illness including the terminally ill.
- Are in a refuge.
- For more information on assistance, please visit Cost of living support - Spelthorne Borough Council and Appendix 11.

10. Debt Recovery and processes

10.1 The Council ensures that customers are aware when enforcement action is imminent, giving them every opportunity to bring their account up to date. Enforcement action will be taken when communications are ignored.

10.2 The Council promptly contacts, in writing, any person or organisation that fails to make a payment. They will be informed that the payment is overdue and what the next course of action may be, within the appropriate legislative procedures such as timescales.

10.3 If the collection of the outstanding amount increases due to costs being incurred, the person(s) or organisation will be responsible for payment of all costs incurred, in addition to their outstanding balance.

10.4 A range of recovery options will be used to secure payment where agreed arrangements for Council Tax and Business rates have failed. This could include making an application for a liability order (an order made by the

DRAFT

Magistrates Court which gives the Council the power to take further action to enforce payment). The following recovery measures could be considered:

- Attachment of Earnings Order
- Deductions from Benefits
- Enforcement Agent
- Charging Order
- Insolvency (Bankruptcy) action for debts over £5,000
- Securing the debt by obtaining a charging order against property, because of Bailiff action.

10.5 **Nonpayment**

The Council ensures timely debt recovery through a structured process. We start with an initial reminder notice, followed by a final notice if ignored. Whilst this process is undertaken, we will ensure we advise customers of any organisations which can assist them in managing their situation.
During this period, we proactively contact the debtor through various channels, such as phone calls, emails, and letters, to agree on payment terms.

If nonpayment persists, we may take enforcement actions like liability orders, attachment of earnings, deductions from benefits, or engaging enforcement agents.

For persistent cases, legal actions like bankruptcy proceedings or charging orders may be pursued. We also monitor and analyse drops in recovery rates due to factors like economic downturns, legislative changes, or increased financial hardship, adjusting strategies and providing targeted support as needed.

10.6 The Council will only employ certificated enforcement agents who comply with the Taking Control of Goods Regulations 2014 and will ensure they act to the standard Code of Practice with the authority which protects customers.

11. Evasion and Fraud

11.1 Evasion of payments owed to the Council reduces the financial resources available to the Council. This has a direct impact on all residents, businesses and other organisations that rely on Council services.

11.2 Evasion or fraud to avoid payment will not be tolerated. Where this is identified, in addition to enforcing payment, the Council will seek to impose such further penalties or sanctions as the law allows.

11.3 The Council will utilise third party partnerships, where referrals are made to them for Business Rates, Council Tax and Housing Overpayments for the investigation and detection of fraud.

DRAFT

12. Write-off Policy

12.1 The Council recognises that a small proportion of its overall debt may not be collectable due to matters beyond its control. Where a debt is assessed to be irrecoverable, it will be considered for write-off. However, the Council will seek to minimise the cost of write-offs by taking all appropriate action to recover what is due.

12.2 If a debt is written off but circumstances change, such debts will be considered for write-on and pursued to the full extent of the law. An example of when this may occur is if a debtor absconds with no forwarding address but is subsequently traced. A further example would be in insolvency cases where an individual/company goes bankrupt or is made insolvent, partial/full dividend(s) can be received many years later.

12.3 All officers, members and contractors will ensure that they have no work-related involvement with any account involving any relatives, friends, close associates, organisations of which they or their relatives are members or previous employees of. This includes making any decisions on how money owed to the Council is collected and recovered.

12.4 Please refer to the write-off policy in Appendix 9.

13. Right to Offset

13.1 The Council will transfer any credit that is on an account to pay off other debts that are owed to the Council. This is known as the right to “offset” or to combine accounts. Before using the right to offset, consideration should be given as to whether a customer is in financial difficulty and that they have enough money to cover reasonable day-to-day priority debts such as:

- Mortgage
- Rent
- Council Tax
- Food Bills

14. Monitoring Performance

14.1 The collection of Rent, Council Tax, Non-Domestic Rates and Sundry Debts are all under public scrutiny as Key Performance Indicators (KPIs). The efficiency of this policy and associated procedures will be monitored through the following KPIs, which are currently reported quarterly:

- % of Council Tax debt recovered
- % of Non-domestic Rate debt recovered
- % of BID debt recovered
- % of Sundry debt recovered
- % of Housing Benefit overpayment

DRAFT

14.2 Additional Areas of Risk

- **Economic Factors:** Economic downturns or recessions can lead to increased nonpayment rates as individuals and businesses face financial difficulties.
- **Legislative Changes:** Changes in laws or regulations can impact the Council's ability to recover debts effectively.
- **Operational Risks:** Inefficiencies or errors in the debt recovery process can lead to delays and reduced recovery rates.
- **Technological Risks:** Reliance on outdated or malfunctioning systems can hinder the debt recovery process.
- **Social Factors:** Increased financial hardship among residents due to rising living costs or unemployment can affect recovery rates.

15. Equality Duty

15.1 Under the Equality Act 2010, the Council, in exercising any of its functions, must have due regard to the need to:

• Eliminate unlawful discrimination
• Advance equality of opportunity
• Foster good relations between people of different backgrounds

16. Use of Data

16.1 The Council will collect and store personal data for the purposes of the effective billing, collection, and recovery of sums due. Data retained for this purpose will be processed in accordance with the Data Protection Act 2018 and will be always stored securely.

16.2 Data will be shared with agents or contractors appointed by the Council for the purposes of the billing, collection, and recovery of sums due. Data may also be shared within the Council or with external organisations where the law allows and where it is in the interests of the debtor or where it will prevent fraud or the unlawful evasion of payment of sums due.

17. Review

17.1 The implications and effectiveness of this policy will be constantly monitored and reviewed as necessary, to take account changes in legislation and best practice. A full review of this policy will be carried out every 3 years to ensure that any changes in legislation or best practice are included and updated. This will include consultation with service users, staff, internal and external. Any changes to policy will be subject to Committee approval. A full review of the Policy will be scheduled for 1st April 2027 from its introduction.

18. Customer Feedback and Complaints

Spelthorne Borough Council is committed to providing a high-quality customer-focused service and welcome feedback about what we are doing well and where we can make improvements. You can contact the Council by

DRAFT

Visiting our website at https://www.spelthorne.gov.uk/contact
Telephone us on 01784 451499.
To make a complaint https://www.spelthorne.gov.uk/article/16560/Comments-compliments-and-complaints

DRAFT

Appendices

Appendix 1 - Business Rates/BID Recovery

Annually, the bills for Business Rates and any BIDs operating within the Borough are issued. The responsibility for issuing these bills and the collection and recovery of debt is held by the Chief Finance Officer. Payments for Business Rates and BID levies are to be made in accordance with legislative requirements.

The Business Rates bill provides details of when instalments are due and the methods available for payment. In contrast, the BID levy payment is payable in a single instalment. If an instalment for either Business Rates or BID is not paid on time, a reminder will be issued following non-payment.

Only one reminder notice will be issued for Business Rate bills and those of BID; a second reminder is only issued in the event of non-compliance with the first reminder and again fallen behind; any further default will result in the issuance of a final notice.

A final notice withdraws the customer's right to pay Business Rates by instalments and requires full payment of the outstanding amount within seven days. The enforcement action to be taken for BID mirrors that of Business Rates, and therefore the final notice issued will provide the ratepayer with their final opportunity to settle the outstanding levy payment. If the Business Rate account or the BID levy payment remains unsettled, the Council will issue a summons notice to the Magistrates Court for an application to apply for a liability order to be granted.

The Liability Order enables the Council to consider other enforcement remedies, for example, instructing enforcement agents to collect the outstanding balance of debt.

If an appeal is made against the rateable value to the independent Valuation Officer, payment must still be made against both the Business Rates and the BID account until the appeal is settled.

Enforcement agents will be appointed based on the contracts procured in line with contract procedure rules. Performance and contract management for enforcement agents will be in place to ensure compliance with codes of conduct and good practice. The services of enforcement agents will comply with the Taking Control of Goods: National Standards, issued by the Ministry of Justice.

DRAFT

Appendix 2 - Council Tax Recovery

The responsibility for issuing Council tax bills, as well as the collection and recovery of debt, is held by the Council's Chief Finance Officer.

A Council tax bill is issued by the Council, providing instructions on when instalments are due. The preferred method of payment for Council tax is direct debit, with flexibility available on the collection date. Unless paid by Direct Debit, the first instalment is due by the first of the month.

If an overdue instalment is not paid within seven days of the due date, a reminder notice will be issued. Non-compliance with the first reminder will result in the issuance of a final notice. A final notice withdraws the customer's right to pay Council Tax by instalments and requires full payment of the outstanding amount within seven days.

Within a Council tax year (April – March), a maximum of two reminders will be issued for late payment of instalments, a second reminder will be issued if the first has been paid and payments have again fallen behind.

On the third occasion that an instalment is paid late, a final notice will be issued. This notice will request full payment of the balance, which must be paid within seven days of the final notice being issued.

If payment is not received within 14 days after the first or second reminder notice, or within seven days of a final notice, the Council will take legal action, and a summons will be issued against the customer. All costs incurred are recoverable by the Council and will be added to the amount due when the summons is issued.

The Council reserves the right to take recovery action where a customer does not pay and does not indicate that they are having trouble paying. Customers are informed of their entitlement to housing and Council tax support and other income-related benefits, as well as discounts, reliefs, and exemptions.

The ability to refer debt to an enforcement agent is an important tool in the recovery process. The Council appreciates the sensitivity attached to the use of enforcement agents and will only use them if deemed necessary. The Council will seek to use enforcement agents only where it has been determined that this is the most effective collection method for the debt in question.

Enforcement agents will be appointed based on contracts procured in line with contract procedure rules. Performance and contract management for enforcement agents will be in place to ensure compliance with codes of conduct and good practice. The services of enforcement agents will comply with the Taking Control of Goods: National Standards, issued by the Ministry of Justice.

DRAFT

Appendix 3 - Sundry Debts Recovery

The responsibility for raising sundry debts against a debtor account is established by Customer Services. Each service will request an invoice to be raised via a 'Finance Sundry Debt' form, which can be found on Spelnet via online forms.

The Council's Chief Finance Officer holds the overall responsibility for the collection and recovery of sundry debt. Customer Services ensures that assistance and guidance are provided to the Group Heads and senior managers for each service in recovering the debt due to their service, where appropriate.

Spelthorne Borough Council endeavours to obtain payment in advance or at the time when a service is delivered, wherever possible. The Council will only raise a debtor's invoice where payment in advance for a service is inappropriate. All sundry debtor invoices must be raised using the corporate sundry debtor's system.

The general settlement terms for sundry debtors are 28 days from the date of the invoice. On odd occasions, other dates are specified by the individual service areas. After 28 days, the Council will make every effort to contact the debtors to reach settlement.

A reminder notice will be issued to the debtor, 36 days after the invoice date, requiring the account to be brought up to date within fourteen days. A final reminder notice will be issued to the debtor, 51 days after the invoice date, requiring the account to be brought up to date within seven days. Some service areas fall within vulnerable groups; in these cases, no further notices are issued.

A letter before action will be issued after a further period of 8 days, giving a further seven days for the account to be brought up to date.

An arrears analysis report is run for all outstanding debts that are at final notice letter stage, any below £500 is written off in accordance with the Council's write-off Policy. The report is produced monthly and forwarded to the Debt Recovery Manager for them to liaise with Group Heads on further action that should be taken and to ensure due diligence has been carried out.

The Council's Corporate Debt Group will receive regular aged debtor reports and monitor performance.

The Councils legal team will receive regular updates on decisions made.

The recovery options are as follows:

- Referral to the Council's approved debt collection agent (where additional costs may be incurred)
- A Collection Agency
- County Court Action seeking a Judgement (e.g. Attachment of Earnings)
- Refer to the Council's own Legal Team.

DRAFT

The list is not exhaustive, and the Council will seek to recover outstanding debt via the most practical and cost-effective manner. Where debt proves uneconomical to collect or the debtors have absconded, consideration will be given to writing off the debt in accordance with the Council's write-off Policy.

DRAFT

Appendix 4 - Policies Specific to Unpaid Parking Penalties

Spelthorne Borough Council is committed to controlling and regulating parking in its off-streetcar parks. This enforcement is necessary to minimize dangerous and inconsiderate parking and ensure that relevant charges for parking use are paid. The Council employs its own Civil Enforcement Officers and may also hire temporary Civil Enforcement Officers under agency agreements in extreme circumstances.

When a Civil Enforcement Officer discovers a car parked in contravention of parking controls, they are required to issue a Penalty Charge Notice (PCN).

After a PCN has been issued, if it is not cancelled by the Council within the appeals process or paid within statutory timescales, parking law allows for the unpaid penalty charge to be referred to the Traffic Enforcement Centre (TEC) for registration of the civil debt and application for an Order for Recovery. At this stage, the unpaid penalty attracts additional charges, as set by the Traffic Enforcement Centre itself. If the debt remains unpaid after the Order is served, the Authority can request the Traffic Enforcement Centre to prepare a Warrant of Execution.

To ensure appropriate arrangements for debt recovery, the order/warrant will be referred to a bailiff company for execution.

This policy aims to ensure that the arrangements and activities related to debt recovery:

- Are applied in a fair and equitable manner.
- Comply with the law, guidance, and local policies, including the Enforcement Concordat, the Council's Finance Procedure Rules, and the Corporate Debt Policy.
- Maintain public confidence in parking enforcement processes.
- Encourage prompt payment of otherwise undisputed parking penalties.

Key Points:

Bailiff Companies: It is common practice to appoint one or more bailiff companies specializing in the recovery of traffic and parking enforcement debts. The Council incurs no direct cost for these services, as the charges are passed on to the debtor, regulated by law.

Working Relationship with Bailiffs: The Council maintains a good working relationship and communication with bailiffs to ensure efficient execution of warrants.

Debt Recovery Actions: If the debt is not settled through cash or similar payment, bailiff action may include removing and selling goods up to the value of the outstanding debt and subsequent bailiff charges. Vehicle clamping or removal is considered only for vehicle owners with multiple outstanding debts, avoiding cases where the vehicle is essential for the debtor's employment.

DRAFT

Debtor Circumstances: Bailiffs have discretion to set up payment plans based on proven claims of financial hardship. Individual debtor circumstances are considered, supported by documentary information (e.g., proof of bankruptcy).

New Information during Execution: If new information (e.g., a new address for the debtor) arises during warrant execution, the bailiff company refers the case back to Parking Services for review before further debt recovery action.

Warrants: that the bailiff company is unable to recover are classified as “no trace” or “executable” and are returned to the Council for further consideration. It is anticipated that unless special circumstances apply, in most cases, they will follow the course of item iii (being “written off” as unrecoverable).

The debt recovery process will be monitored and reviewed to ensure that the bailiff’s performance is consistent within the industry. Benchmarking will be sought between other similar Surrey Boroughs and Districts to ensure performance and quality. A recovery rate of approximately 25% is expected based on the payment rate of the number of debts referred per annum.

Complaints against bailiffs will be dealt with in accordance with the Council’s customer service standards and complaints procedures.

The Council’s Corporate Debt Group will receive regular aged debtor reports and monitor performance.

DRAFT

Appendix 5 - Housing Benefits Overpayment Recovery

Policies Pertaining to the Recovery of Benefit Overpayments

Overpayments of Housing Benefit and Council Tax Benefit/Support are identified through a change in benefit entitlement. They are defined as an amount of benefit that has been awarded but for which there is no or reduced entitlement under the regulations.

The Council maintains that preventing overpayment debt is preferable to curing it. Therefore, measures will be implemented to prevent overpayments from occurring. These include:

- Utilising a well-structured application form to gather accurate information, which includes a clear statement that failure to provide correct information could lead to overpayments of benefit and potential prosecution.
- Ensuring all benefit notification letters and relevant correspondence inform the individuals affected of their responsibility to notify the Council of any change in circumstances that may affect their claim.
- Using reasonable evidence to support claims and changes in circumstances, for example: - conducting checks for identity - residency and National Insurance numbers.
- Implementing targeted interventions that are risk profiled where possible and suitable.
- Ensuring all staff dealing with overpayments receive appropriate training with comprehensive access to overpayment recovery procedures and an understanding of issues relating to debt.
- Providing fraud awareness training for staff.
- Employing and developing information technology to automate the identification and recovery of overpayments and to reduce error:
- Including publicity material and information on responsibilities for reporting changes in circumstances.
- Ensuring that benefit awards are suspended and terminated in accordance with current regulations and case law.
- Handling reported changes in circumstances as swiftly as possible.
- Participating in various data matching exercises with external agencies and cross-matching against internal databases whilst adhering to principles laid down by the Data Protection Regulations 2018, Data Protection and Human Rights Act 1998.

The Council aims to calculate overpayments swiftly and accurately and to provide quality information to the individuals affected, ensuring it recovers the correct amount. To achieve this, the Council will:

Invite claimants to apply for underlying entitlement.

Calculate the overpayment, on average, within 14 days of receiving all necessary information.

DRAFT

Use the correct effective date of change to determine the correct overpayment period.

Consider uncashed or returned cheques or underpayment of benefit.

The Council aims to ensure the correct classification of overpayments for subsidy purposes is always used to prevent loss of subsidy.

- All necessary invoices, reminders and pre-debt collector stage letters/Financial Enquiry will be raised according to recovery stage, using the Housing Benefits and Debt Management system.
- Invoices will only be issued when the overpayment cannot be recovered from benefits.
- The Council has a responsibility to act in accordance with all relevant legislation and regulations when recovering overpayments.
  Social Security Administration Act 1992.
  Social Security Administration Act 1992 (Housing Benefit).
  Social Security Administration Act 1992 (Council Tax Benefit).
  Social Security Contributions and Benefits Act 1992.
  The Housing Benefit (General) Regulations 1987 - and subsequent varying regulations.
  The Council Tax Benefit (General) Regulations 1992 - and subsequent varying regulations.
  Housing Benefit (Recovery of Overpayments) Regulations 1997.
  Social Security (Overpayment and Recovery) Regulations 2013.
  The Housing Benefit and Council Tax Benefit (Decisions and Appeals and Discretionary Financial Assistance) (Consequential Amendments and Revocations) Regulations 2001.
  Welfare Reform Act 2012. Housing Benefit Overpayment Guide 2015.

Where the Council decides an overpayment is recoverable, the most suitable method of recovery will be considered in all cases and arrangements will follow the general hierarchy below:

- From arrears of Housing Benefit.
- On-going deductions from further payments of continuing Housing Benefit. This will include payments that are sent directly to the Landlord on the claimant's behalf. The Council will base recovery rates as laid down by regulation and will initially seek to recover the standard weekly deduction calculated, unless the health or financial circumstances of the claimant suggest a more suitable rate should be used. In all cases, however, a minimum amount of fifty pence per week Housing Benefit must remain in payment. The debtor has the right of appeal against the rate of recovery chosen by the Council.
- Overpayments of recoverable Council Tax Benefit/Support, apart from in exceptional circumstances, will result in an adjustment being made to the respective Council Tax account for the appropriate year. An amended bill will

DRAFT

be issued, and any unpaid monies will be subject to recovery action under the Council Tax regulations.

- By deductions from certain Department of Work and Pensions benefits. Section 75(1) of the Social Security Administration Act 1992 allows recovery of overpaid Housing Benefit by deduction from prescribed benefits which are defined in Regulation 105 of the Housing Benefit Regulations 2006.
- As of 8 April 2013, Sections 105 and 106 of the Welfare Reform Act 2012 amends the Social Security Administration Act 1992 allows the Council to recover by attachment of earnings without court authority. Known as Direct Earnings Attachments (DEA), their primary purpose is to enforce recovery where a liable person is in Pay as You Earn (PAYE) employment.
- Referral to an external debt collection agency (after all the above avenues of recovery are considered and/or exhausted).
- In extreme circumstances Civil Proceedings Application to the County Court for a County Court Judgement (after all avenues of recovery are considered and/or exhausted). With a County Court Judgement (CCJ) further recovery action can be taken, e.g., application to the High Court to instruct High Court enforcement agents.

The Housing Benefit (Recovery of Overpayments) Regulations 1997 provide for the opportunity if deemed appropriate for the Council to recover overpayments from landlords, when the landlord has been classed as responsible from their current tenants' entitlement. The Council will, in appropriate circumstances, reduce payments to landlords for their current tenants to recover overpayments that arose for former tenants, known as 'blameless tenant,' recovery. It will take this action when the original tenant has no continuing Housing Benefit entitlement.

We will ensure recovery is applied in a fair and equitable way. We will also set up payment plans wherever possible to encourage payment of debts considering the claimant's financial circumstances to try and prevent financial hardship but considering the need to clear any outstanding debt.

Only if after all attempts at recovering the overpayment have become exhausted and there is no hope of recovery, or there are qualifying circumstances, shall the debt be recommended for write-off.

DRAFT

Appendix 6 - Policies Specific to Recovery of Housing Options

SPELTHORNE RENT ASSURE CURRENT ARREARS PROCESS

The Rent Assure Scheme equips the Council with a pathway for preventing homelessness by leveraging the private rented sector to secure tenancies. This approach minimises reliance on long-term bed and breakfast placements or other temporary accommodations. Additionally, it empowers us to fulfil our primary duty in addressing homelessness by extending a Private Rented Sector Offer (PRSO).

Our Rent Assure Team orchestrates two-year assured shorthold tenancies. Beforehand, we conduct an income and expenditure assessment to ensure that incoming tenants can comfortably afford the properties. Tenants are informed of their contribution toward the overall rent cost.

The Tenancy Sustainment Officer oversees the weekly management of accounts. If any arrears accumulate, a series of letters are dispatched. We establish repayment plans to clear the arrears, along with provisions for ongoing rent costs.

Should a tenant default on the repayment plan, further letters are dispatched. Ultimately, if payment remains outstanding, an eviction notice is issued through the Council's Legal Department.

Post-eviction, if we possess a forwarding address, we initiate additional recovery measures. However, if no further payment is received despite follow-up letters, cases with a debt exceeding £100 are referred to Customer Services for further action. Debts below £100 are written off. If no forwarding address is available, and it is economically viable, Customer Services endeavours to obtain one. If unsuccessful, the debt is written off.

For tenants who naturally exit the scheme at the end of the two-year period and have a forwarding address, we commence recovery action through a series of letters addressing any outstanding arrears. Former tenants are encouraged to establish payment plans for gradual clearance if immediate settlement is unfeasible. Non-compliance leads to referral to Customer Services for additional recovery action. In cases where no forwarding address is known, Customer Services attempts to locate a current address. Successful identification allows the recovery process to continue. Otherwise, the debt is written off.

DRAFT

BED AND BREAKFAST & HOME PREVENTION LOAN ARREARS PROCEDURE

This segment of the Council's sundry debt pertains to homeless applicants placed in emergency accommodation or those assisted with homelessness prevention through loans. These services cater to a diverse age group, including family units and single applicants. Some individuals face vulnerabilities and lead transient lifestyles, impacting debt recovery efforts.

For current emergency accommodation placements, the Income Recovery Officer closely monitors recovery actions on a weekly basis. We dispatch varying levels of arrears letters each week to encourage payment and facilitate payment plans covering weekly charges and a portion toward arrears. If an applicant persists in non-payment, considering possible vulnerabilities, we request their departure from the accommodation unless payment is received.

Former applicants who voluntarily or by prior arrangement leave emergency accommodation trigger recovery actions for any outstanding arrears. When an address is known, we send a series of letters detailing the owed amount and establish a repayment plan if immediate clearance isn't feasible. Non-compliance with the repayment plan results in transferring cases to Customer Services for further action if the debt exceeds £100. Debts below £100 are considered for write-off.

For cases without a current address and debts exceeding £100 (where economically viable), Customer Services endeavours to trace a forwarding address. If unsuccessful, the debt is written off.

Home Prevention Loans, typically granted to prevent homelessness from existing private rental properties, involve a one-off sum. Since there is no ongoing debt, we maintain knowledge of the applicant's address. At the loan arrangement stage, the Housing Options Officer discusses a repayment plan with the applicant, and a suitable payment method is established. The Income Recovery Officer monitors monthly repayments, often received from the applicant. Arrears letters are dispatched, and non-compliance prompts referral to Customer Services for further recovery action.

SRA ARREARS PROCESS

1. **Application Acceptance and Tenancy Setup:**
   An applicant is accepted onto the scheme, and tenancy details are established.
2. **Tenancy Creation:**
   Once the SLN (Scheme Lease Number) is generated, a rent book is printed, and the tenancy is officially created.
3. **Rent Spreadsheet Update:**
   The rent spreadsheet is updated with the following information:
   Client name
   Address
   SLN
   Customer contribution
   Top-up amount

Expected HB/UC (Housing Benefit/Universal Credit) amount (calculated using the HB/UC calculator)
Full rent amount

4. **Account Reconciliation and Monitoring:**
   After reconciling the account to determine the true debt figure, account monitoring begins.
5. **Level 1 Arrears Letter:**
   If a tenant starts accruing arrears within 5 weeks of placement, a Level 1 Arrears Letter is sent from Integra.
   The letter alerts the tenant about their arrears and requests that they bring their account up to date promptly, maintaining regular payments.
6. **Face-to-Face Meeting and Documentation:**
   Where appropriate, arrange a face-to-face meeting with the tenant.
   Request details of income and expenditure, including current bank statements.
   This helps confirm reasonable expenditure and informs a suitable payment plan.
7. **Level 2 Arrears Letter:**
   If there is no contact or payments from the tenant, a Level 2 Arrears Letter is sent 7 days after the Level 1 letter.
   The letter expresses concern about ongoing arrears and urges immediate action to bring the account up to date.
8. **Direct Payment Request:**
   If a tenant is 8 weeks or more in arrears, direct payment can be requested from the housing benefit team or via the UC47 form for Universal Credit.
9. **Level 3 Arrears Letter:**
   If there is still no contact or payments from the tenant, a Level 3 Arrears Letter is sent 7 days after the Level 2 letter.

This letter emphasizes the risk of losing accommodation and requests that the tenant contact the SRA team promptly with a proposal for resolving the arrears.

DRAFT

Appendix 7 - Policies Specific to Recovery of Independent living

Spelthorne Borough Council extends several discretionary services. While these services fall under the discretionary category, they play a crucial role in our broader community offerings. They are specifically designed for our most vulnerable residents, including the elderly, frail individuals with multiple long-term conditions, those with learning disabilities, and those dealing with mental health issues. Consequently, effective debt recovery is of utmost importance to our service. We approach this task with empathy, considering the unique needs of our service users.

Several of our services necessitate upfront payments, such as community centre memberships, centre meals, and activities. As a result, the need for recovery is infrequent.

The primary sources of debts are our Meals on Wheels, and the OPAL High Needs group. To ensure effective debt recovery, we adhere to the following principles:

- Equitable Recovery: We apply recovery measures fairly and equitably.
- Telephone Calls: The administration lead for each service area initiates telephone calls to collect debts. These calls are based on evidence related to:
- Client Capacity
- Vulnerability
- Impact of Non-Payment and Service Removal
- Direct Debit: We encourage clients to sign up for Direct Debit to facilitate ongoing debt management and recovery.

Additional considerations include:

- Invoice Monitoring: The administration lead monitors unpaid invoices. This responsibility lies outside the scope of Sundry Debts, as monthly arrears analysis reports are provided by The Customer Service & Revenues Team.

- Proactive Approach: Budget holders, specifically the Group Head, play a pivotal role in ensuring a proactive approach to revenue collection owed to the Council for services rendered. Monitoring non-payment of invoices is essential before the monthly arrears analysis report from Customer Services.

- Payment Plans: We establish payment plans to encourage debt repayment, especially in cases of financial hardship or impact. Each debtor's unique circumstances are considered.

- Benchmarking: We seek benchmarking data from similar Surrey Boroughs and Districts to ensure performance and quality.

- Regular aged debtor reports are reviewed by the Council's Corporate Debt Group, monitoring performance.

DRAFT

Appendix 8 - Code of Practice for Enforcement Agents

Below is the Code of Practice detailing the practices to be followed by any Enforcement Agent acting for and on behalf of Spelthorne Borough Council

What happens if an enforcement agent is sent to my home?

As part of a liability order, enforcement agents may visit your home to seize your personal belongings if you are unable to establish a repayment plan.
The enforcement process involves three stages:

1. **Compliance Stage:**

We send a written request for payment of your outstanding Council Tax and compliance fees in full or to arrange a payment plan.

This official notice informs you that an enforcement agent will visit your property within seven days if you do not respond.

A fee of £75 is added to your account balance during the compliance stage. Whenever a liability order is transferred from us to an enforcement agent, a £75 fee is charged to your account.

2. **Enforcement Stage:**

An enforcement agent visits your property and takes control of your goods if you do not contact them within 7 days to pay the account in full or arrange a payment plan.

If you set up a payment plan, the enforcement agent may allow the goods to remain in your property under a Controlled Goods Agreement. This agreement lists all items. Failure to honour the payment plan may result in the removal of items.

If you neither pay in full nor agree to a payment plan for the outstanding balance, the enforcement agent can seize goods up to the value of the debt. This process is known as “Taking Control of Goods.” The value of the goods may not match what you paid, leaving a remaining balance.

An enforcement fee of £235 is added to your account balance when the enforcement agent first visits your property. If you owe more than £1,500, an additional 7.5% of the total amount above £1,500, along with the enforcement fee, is added.

DRAFT

3. Sale or Disposal Stage:

An enforcement agent attends your property to remove goods for auction or prepare them for sale, especially if the sale occurs at your home.

A fee of £110 is added to your account during the sale or disposal stage. For multiple liability orders, only one enforcement stage fee is charged.

If your debt exceeds £1,500, an extra 7.5% of the total amount above £1,500, along with the enforcement fee, is added.

In addition to the above fees, enforcement agents may recover reasonable associated costs, such as storage fees after goods removal, locksmith fees, and auctioneer fees.

Important Note: Once your account is assigned to an enforcement agent, all outstanding balances and fees must be paid directly to the enforcement agent, not the Council.

If you miss an enforcement agent visit, their contact details will be left, and you should promptly reach out to arrange payment or schedule another visit.

Debt Unable to Be Recovered: The Council strives to minimize write-off costs for local Council taxpayers. We take all necessary actions to recover owed amounts. Reasonable and economical debt recovery measures are pursued before considering debt write-off. The degree of enforcement depends on the debt amount, type, and the debtor's personal circumstances, following the Council's Scheme of Delegation.

DRAFT

Appendix 1

Appendix 9 - Write-Off Policy

Review of Irrecoverable Debts

Our financial regulations govern all aspects of our financial management, including the process for writing off debts. Despite our robust debt recovery procedures, there are instances where pursuing certain debts becomes impractical or cost ineffective. Various reasons contribute to this situation:

- The outstanding amount falls below an agreed lower limit of £100.
- The customer has relocated, and we cannot trace their new address.
- The customer has passed away, and their estate lacks sufficient funds to settle the debt.
- The customer is bankrupt, or the company is insolvent (although we do submit claims in bankruptcy, and any payments received from the receiver are credited to the account).
- Pursuing the debt is uneconomical.
- Health and financial considerations.
- Statute Barred**:** An invoice becomes irrecoverable if six years have elapsed from the invoice date, date of service, or last payment date (whichever is later). If the debtor acknowledges the debt, the six-year period runs from that acknowledgment. All statute-barred debts follow the agreed write-off procedures as irrecoverable.
- Official Error**:** Housing Benefit overpayments occur when the customer could not reasonably be expected to know they were being overpaid. If the authority deems it unreasonable to recover the debt, it is considered irrecoverable.

We diligently monitor all outstanding debts to identify irrecoverable ones promptly. These debts are then written off in accordance with our financial standing orders.

Delegated Authority for Write-Offs:

Levels of authorisation for write-offs for debt are set in the financial regulations.

Group Heads and Deputy Chief Executive (Chief Finance Officer) therefore have the authority to write off individual outstanding balances up to a specified level; the delegations and levels which can be found in Councils Finance Procedure Rules May 2022.

Any write-offs exceeding the limits within the Procedure rules, must be approved by Corporate Policies and Resources Committee.

Additional Provisions:

- Debts without limit can be written off when bankruptcy, liquidation proceedings, administration, or receivership proceedings are initiated.
- Court-remitted debts require proper documentation and approval.

Appendix 1

Ongoing Monitoring and Reporting:

- The write-off policy remains in force.
- External checks, such as Call Credit, are used for write-offs over £750.
- All write-offs submitted to the Sales Ledger Team must be authorised by the relevant Group Head and the Chief Finance Officer.
- Quarterly reports on write-offs are provided to the Chief Finance Officer.

Accounts in Credit:

- Efforts are made to refund credits on accounts, but if no forwarding address is available, we consider writing off the credit.
- Quarterly reports help identify credits for potential write-off.

Note: The formal write-off of debts does not preclude future recovery action if a customer's circumstances change.

DRAFT

Appendix 1

Appendix 10 - Payment Methods

Internet & Automated Telephone Payments

You can conveniently make payments using your Debit or Credit Card through the Council's Internet Payment facility. Here's how:

- Visit our website: Spelthorne Borough Council Online Payment
- Alternatively, use our automated telephone service by dialling 01784 444 220. These services are available 24 hours a day, 365 days a year.

Direct Debit Choose from a range of payment dates for Direct Debit.

Standing Order To set up a standing order, follow these steps:

1. Obtain a standing order form from your bank.
2. Complete the form, instructing your bank to pay:
    - **Lloyds Bank**
    - Account number: 11441960.
    - Sort code: 308012.
3. Always quote your Council Tax Reference number.
4. Return the completed standing order form to your bank. Ensure timely payments for the correct amount.

Telephone Banking Make payments using telephone banking services offered by most banks or building societies. Remember to quote your Council Tax Reference number along with the following Lloyds Bank details:

- Account number: 11441960.
- Sort code: 308012.

Post Office/Paypoint Outlets You can pay at most Post Offices using cash or cheque. If your bill has a barcode printed on it, you can also pay at Paypoint outlets (cash only). No fee applies for this service.

By Post (Do Not Send Cash) Follow these steps:

1. Make cheques payable to **Spelthorne Borough Council** and cross them as "A/C PAYEE ONLY."
2. Write your Council Tax Reference on the back of the cheque.
3. If you'd like a receipt, include a self-addressed stamped envelope.

Remember that once your account is assigned to an enforcement agent, all outstanding balances and fees must be paid directly to the enforcement agent, not the Council. If you miss an enforcement agent visit, their contact details will be left, and you should promptly reach out to arrange payment or schedule another visit.

Appendix 1

Debt Unable to Be Recovered the Council strives to minimise write-off costs for local Council taxpayers. We take all necessary actions to recover owed amounts. Reasonable and economical debt recovery measures are pursued before considering debt write-off. The degree of enforcement depends on the debt amount, type, and the debtor's personal circumstances, following the Council's Scheme of Delegation.

DRAFT

Appendix 11 - Supporting Financial Well-Being

HELPING CUSTOMERS MANAGE MONEY AND DEBT

- It is common for customers to feel uncertain about managing their finances or dealing with debt. Many are unaware of available advice services, and some hesitate to seek guidance from financial advisers or debt counsellors. However, ignoring financial challenges won't make them disappear. It's crucial for customers to seek help. Numerous organizations offer advice on welfare, debt, and money matters (Cost of living support - Spelthorne Borough Council)

Here are some key agencies and bodies to note:

1. **Advice UK**

   A registered charity and the UK's largest support network for independent advice centres.

Contact details:

- Website: Advice UK
- Phone: 0300 777 0107
- Address: Advice UK, 101E Universal House, 88 – 94 Wentworth Avenue, London, E1 7SA

2. **Age UK**

   A registered charity dedicated to enhancing the lives of older individuals.

   Contact details:

   - Website: Age UK
   - Phone: 0800 678 1602
   - Address: Age UK, Tavis House, 1-6 Tavistock Square, London WC1H 9NA

   Local service in Surrey:

   - Website: Age UK Surrey
   - Email: enquiries@ageuksurrey.org.uk
   - Address: Age UK Surrey, Rex House, William Road, Guildford, GU1 4QZ

3. **Armed Forces – Service Charities**

   The Royal British Legion:

   - Website: The Royal British Legion

        - Phone: 0800 802 8080
        - **SSAFA** (Soldiers, Sailors, Airmen and Families Association):
        - Website: SSAFA
        - Phone: 08007314880

4. **Christians Against Poverty (CAP)**
    - A national Christian charitable company specializing in debt counseling for people facing financial difficulties, regardless of their religious beliefs.
    - Contact details:
        - Website: CAP UK
        - Phone: 01274 760720
        - Address: Christians Against Poverty, Jubilee Mill, North Street, Bradford BD1 4EW

5. **Citizens Advice**

    - Provides financial advice and debt assistance.
    - National website: Citizens Advice
    - Local service in Runneymede and Spelthorne:

        Address: Sunbury Library, The Parade, Staines Road West, Sunbury-on-Thames TW16 7AB

        Website: Runneymede and Spelthorne Citizens Advice

6. **Money Advice Service (MAS)**

    - An independent government service offering financial health checks and budget calculators.
    - Website: MAS Health Check
    - Phone: 0800 138 7777

7. **National Debtline**

    - A national helpline for debt problems in Wales, England, and Scotland.
    - Website: National Debtline
    - Phone: 0808 808 4000

8. **Payplan**

    - Provides free debt advice and management.
    - Website: Payplan
    - Phone: 0800 280 2816

9. **Shelter**

Appendix 1

- A registered charity offering advice, information, and advocacy to people in need.
- Website: Shelter
- Phone: 0808 800 4444

10. **Step Change Debt Charity**

- Provides free debt advice over the phone.
- Website: StepChange
- Phone: 0800 138 1111

11. **The Money Charity**

- Offers information and guidance for people with debt or money worries.
- Website: The Money Charity
- Phone: 0207 062 8933
- Address: The Money Charity, 15 Prescott Place, London, SW4 6BS

DRAFT

Appendix 1

DRAFT

Appendix 1

Appendix 12 - Equality Impact Analysis

This Equality Analysis Template is offered to Spelthorne Borough Council on a yearly licence. This Equality Analysis Template is the intellectual property of The National Equality Analysis Support Service Ltd (NEASS) and must not be distributed to or used by any other private or public body, any commercial organisation or any third party without the express permission of NEASS who can be contacted on:

The National Equality Analysis Support Service Ltd
71 – 75 Shelton Street,
Covent Garden
London WC2H 9JQ
Office: 0203 500 0700
Email: info@equalityanalysis.org.uk
Web: www.equalityanalysis.org.uk

Directorate: Customer Services and Revenues **Service Area:** Customer Services	**Lead Officer**: **Date completed:**
Service / Function / Policy / Procedure to be assessed: Corporate Debt Policy	
Is this: New / Proposed ☐ Existing/Review **þ** Changing ☐ **(Please tick appropriate box)**	**Review date:**

DRAFT

Appendix 1

Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.

What are the aims and objectives/purpose of this service, function, policy or procedure?

Review existing Corporate Debt Policy to improve collection for all Service areas and promote a more joined up working with regards to collection of outstanding debt across the Council.

Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?

	Yes	No
Eliminating unlawful discrimination, victimisation and harassment		
Advancing equality of opportunity		
Fostering good community relations		

If not relevant to any of the three equality duties and this is agreed by your Head of Service, the Equality Analysis is now complete - please send a copy to NAMED OFFICER. **If relevant**, a Full Equality Analysis will need to be undertaken (PART B below).

PART B: Full Equality Analysis.

DRAFT

Appendix 1

Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

What outcomes are sought and for whom?	Greater understanding of amount of debt outstanding by service areas, provide greater transparency of the Group Head of a service, to reduce debt owed by the service in a timelier manner.
Are there any associated policies, functions, services or procedures?	The Corporate Debt Policy brings together all service areas where the agreed policy tackles all areas of debt that is owed to the Council as a whole and set guideline's as how collection of debt should be dealt with. It will also be monitored by the Corporate Debt Group on a quarterly basis where balances have not been reduced will be discussed as to how payment can be achieved.
If partners (including external partners) are involved in delivering the service, who are they?	N/A

Step 2 – What does the information you have collected, or that you have available, tell you?

What evidence/data already exists about the service and its users? (in terms of its impact on the 'equality strands', i.e., race, disability, gender, gender identity, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g., are there any significant gaps?

N/A

Has there been any consultation with, or input from, customers / service users or other stakeholders? If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

DRAFT

Appendix 1

Consultation has been made with all Service areas and Group Heads and Managers and the Corporate Debt Group, regarding this document.

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

N/A

DRAFT

Step 3 – Identifying the negative impact.

a. **Is there any negative impact on individuals or groups in the community?**

Appendix 1

Barriers:

What is the potential or known barriers/impacts for the different 'equality strands' set out below? Consider:

- **Where** you provide your service, e.g., the facilities/premises.
- **Who** provides it, e.g., are staff trained and representative of the local population/users?
- **How** is it provided, e.g., do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?
- **When** is it provided, e.g., opening hours?
- **What** is provided, e.g., does the service meet everyone's needs? How do you know?

* Some barriers are justified, e.g., for health or safety reasons, or might be designed to promote equality, e.g., single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified, then please indicate which they are and why.

Solutions:

What can be done to minimise or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:

- Other arrangements that can be made to ensure people's diverse needs are met.
- How your actions might help to promote good relations between communities.
- How you might prevent any unintentional future discrimination.

Equality Themes	Barriers/Impacts identified.	Solutions (ways in which you could mitigate the impact)
Age (including children, young people, and older people)	N/A	
Disability (including carers)	N/A	

DRAFT

Appendix 1

Gender (men and women)	N/A	
Race (including Gypsies &Traveler's and Asylum Seekers)	N/A	
Religion or belief (including people of no religion or belief)	N/A	
Gender Re-assignment (those that are going through transition: male to female or female to male)	N/A	
Pregnancy and Maternity	N/A	
Sexual orientation (including gay, lesbian, bisexual, and heterosexual)	N/A	

Step 4 – Changes or mitigating actions proposed or adopted.

Having undertaken the assessment are there any changes necessary to the existing service, policy, function, or procedure? What changes or mitigating actions are proposed?

- Quarterly arrears analysis report to be sent to all Service areas with a response from the Service area within a 4-week period, and arrears for all areas will be reported to the Corporate Debt Group on a quarterly basis.

Step 5 – Monitoring

How are you going to monitor the existing service, function, policy, or procedure?

DRAFT

Appendix 1

Quarterly review of arrears for all services areas reporting to the 151 Officer of the Council and quarterly meetings held by the Corporate Debt Group.

DRAFT

Appendix 1

Part C - Action Plan

Barrier/s or improvement/s identified	Action Required	Lead Officer	Timescale

Equality Analysis approved by:

Group Head:	Date:

Please send an electronic copy of the Equality Analysis to the Equality & Diversity Team and ensure the document is uploaded to the EA Register which will be available to the public:

DRAFT

Appendix 1

This Equality Analysis Template is the intellectual property of The National Equality Analysis Support Service Ltd (NEASS) and must not be distributed to or used by any other private or public body, any commercial organisation or any third party without the express permission of NEASS who can be contacted on:

The National Equality Analysis Support Service Ltd
71 – 75 Shelton Street,
Covent Garden
London WC2H 9JQ
Office: 0203 500 0700
Email: info@equalityanalysis.org.uk
Web: www.equalityanalysis.org.uk

DRAFT