

COUNCIL TAX VULNERABILITY POLICY DOCUMENT

Introduction

Some people and organisations do not pay what they owe in Council Tax arrears, so subsequently we have a recovery procedure to follow in order to recover outstanding debt.

In certain cases some customers can be identified as vulnerable, due to a number of different reasons and procedures are put in place for these individuals.

1 Council Tax Collection

1.1 All Council Tax is considered to be recoverable and the Council Tax service will make all necessary efforts to collect Council Tax due. However there will be times when it has been established that a customer is vulnerable, then different avenues can be explored.

1.2 The procedures for the billing, recovery and enforcement of Council Tax are laid out in the Council Tax (Administration & Enforcement) Regulations 1992 SI 613 and subsequent amendments.

1.3 The enforcement regulations for Council Tax detail precisely the powers available to Local Authorities in the collection of Council Tax. This document does not seek to expand upon other issues, since they are matters of law, rather than Council policy.

1.4 This document sets out the circumstances where a customer can be seen as vulnerable and the measures that the Council will take in these circumstances.

1.5 We recognise potential vulnerability does not necessarily absolve a customer of financial responsibilities and in many cases helping them regain control over debt can help manage other areas of their life.

2 Situations where a customer may be seen as vulnerable

Vulnerability may be found in the following circumstances:

2.1 A customer is suffering from a mental health issue that stops them from dealing with their day to day issues.

The Council realises that certain individuals do suffer from mental health issues, the most common being depression and anxiety and these customers will be dealt with extra care and a full investigation will take place with the request of doctors/hospital details of the individual and details of any social or case worker dealing with the matter.

2.2 Elderly Customers.

Every individual is entitled to apply for Council Tax Reduction based on their earnings, the elderly being no exception.

However when an elderly person (over 70 years old) does get into financial difficulty, they will be dealt with in slightly different ways from someone of a younger age.

For example, we would not take a customer through the Default Summons courts, should we be aware of their age and if the matter has been passed to external enforcement agents, they will be aware of the individual's age and circumstances.

Ideally people of an elderly age should not be referred to external enforcement agents, however in certain cases we are not always aware of the customers age, before the case has been sent.

2.3 A customer who is already in financial difficulty with other organisations not just the Council.

In all cases where a customer has got behind with Council Tax payments a Liability Order with a means enquiry will be sent out.

This is to ascertain exactly what the customer's income is and what their total expenditure comes to.

In a lot of cases debt has been incurred when the customer has taken out payday loans and credit with companies and then being charged extortionate rates, putting them into severe financial difficulty.

2.4 Pregnancy or recent birth of a child.

While these customers may not directly be seen as vulnerable, they may have had a change in income and potentially require financial support.

These people will be dealt with on an individual basis and the usual means form will be taken.

2.5 Recent Bereavement

All staff are required to take a sympathetic approach to anyone who has recently lost an immediate member of the family.

If required a hold can be put on the account, in order to give the customer time to sort out personal and financial matters.

2.6 Unemployed Customers

All customers are entitled to apply for Council Tax Reduction, however in Calderdale there will be a minimum 19% to pay even if the individual is claiming benefits.

However as always customers are encouraged to communicate with the Council and other outside agencies such as Calderdale Citizens Advice Centre, Step Change and Noah's Ark to name a few, who can liaise with the Council to keep the customer on track with their payments and advise if they require any further assistance.

2.7 Long Term Sick/ Serious Illness

When we are made aware that a customer is suffering from a serious illness or is on long term sick, provisions will be put in place to help the individual.

Again these need to be assessed on an individual basis and again action can be held or advice given on how reductions can be granted.

2.8 Language Barriers

If a customer is struggling to communicate with the Council due to language issues, the Council will aid them in the best way possible to assist them with their enquiry.

This can be done by requesting help from other staff members that may speak that particular language is if necessary contact an interpreter to contact the customer and liaise with the Council as a third party.

The council has a number of assistance schemes that can help local people who may be struggling financially. Help is available from the council tax reduction (CTR) scheme, the CTR hardship fund, discretionary housing payment fund and welfare assistance. Digital and budgeting help is also available for people making a claim for/or receiving Universal Credit. Further information can be found on our website www.calderdale.gov.uk .

3 Levels of Authority

3.1 All Council Tax staff members are fully aware that when a customer has been identified as vulnerable, they should take care and follow the procedures as stated above.

3.2 In certain cases if a decision cannot be made by the team member the case will be passed to the Council Tax Manager to decide on the next course of action.

3.3 The Council Tax manager has the authority to suppress or remit accounts that he/she thinks are unrecoverable due to a customer being in a vulnerable position. However these cases have to be dealt with on an individual basis.

4 Policy Review

This procedure will be reviewed on an annual basis in order to ensure it remains valid, effective and relevant.

Robin Miles

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