

Request

1. The number of times between 1st April 2022 and 31st March 2023, or the nearest available twelve-month period, that private bailiffs/enforcement agents have been instructed to enforce debts to the local authority relating to each of the following;
 - Council Tax
 - Parking
 - Housing Benefit overpayments
 - Business Rates
 - Commercial Rents
 - Any other debt types, including any other overpayments.

2. Before seeking a liability order for a resident for Council Tax arrears, do you take any of the following steps? Please indicate the steps you take.
 - Assessment of their income and expenditure,
 - Assessment of whether the resident (or anyone else) in their household is vulnerable,
 - Referral to your Council Tax Reduction / Support scheme,
 - Referral to income maximisation,
 - Referral to a free debt advice organisation.

3. Do you signpost residents to one or more free debt advice agencies as part of your Council Tax collections process? (Yes/No) If so, which charities?

4. Have you adopted the Standard Financial Statement as a tool for objectively assessing income and expenditure as part of your Council Tax collections process? (Yes/No)

5. Do you have a formal policy in place for dealing with residents in vulnerable circumstances as part of your collections process for Council Tax arrears? (Yes/No). If so, please may you provide a copy of the policy if it is for public consumption.

6. Do you currently have a policy of exempting recipients of Council Tax Support / Reduction from the use of bailiff action? (Yes/No)

7. Have you adopted the Citizens Advice/Local Government Association Council Tax Protocol? (Yes/No)

Response

- (1) For 2022/23, 8636_Council Tax Liability Orders were passed to external Enforcement Agents.

For 2022/23, 554 Business Rates Liability Orders were passed to external Enforcement Agents.

Please note, cases are recorded in the form of Liability Orders issued and not based on Council Tax accounts or the number of customers. It is possible for a single account/customer to have multiple Liability Orders so the above figures do not reflect the true number of accounts passed to enforcement agencies for the periods stated.

The figures quoted may also contain a duplicate count of some Liability Orders, i.e. where a Liability Order is issued to an Enforcement Agent but returned for reasons such as a debtor absconding, the same Liability Order may be re-referred to an Enforcement Agent (if necessary) at a later date (if traced and there was no engagement from the debtor) and therefore would appear twice in the figures.

Also, the above figures do not include the cases that have been through our Internal Enforcement team.

High Court Agents instructed seven (7) Commercial Rent Bailiffs instructed one (1).

- (2) The billing and recovery of Council Tax is largely prescribed by legislation and regulation, however we have introduced a Welfare Collections Framework to run alongside the prescribed stages, as our local approach to maximise support for our residents.

Our approach includes issuing additional non-statutory letters and conducting outbound contact regimes, in an attempt to gain customer engagement as early as possible.

We take a holistic approach to offer support, to maximise a customer's income and enable payment. To enable this, we work collaboratively with our Welfare and Assessments teams to ensure customers are in receipt of any benefits, reductions, discounts, exemptions or support funds they may be entitled to.

Our outgoing literature details all the support we can offer and provides details of partner organisations/free debt advice services, to support our customers.

Our policy seeks to gain engagement at the earliest opportunity and actively implement affordable repayment arrangements to prevent the need to take recovery action, as part of this engagement we may conduct an assessment of customers income and expenditure, assess whether the resident (or anyone else) in their household may be vulnerable and take necessary steps, refer to our Council Tax Reduction scheme and support customers to make a claim where necessary and welfare support colleagues maximise customer incomes/reduce liabilities where eligibility for discount/reduction or exemption exists.

- (3) Yes, the details of the following organisations are provided to all customers:- Citizens Advice; Money Advice Service; StepChange; National Debtline;

We also have our own internal referral processes for free debt advice and further support and partner organisations are provided via our Here for you campaign and leaflet (included with our support letter when a payment first defaults)

Further information can be found online at www.wigan.gov.uk/Hereforyou

- (4) No

(5) Vulnerability is detailed within our Corporate Debt Policy which is currently being reviewed and will be published in due course.

Once published the policy will appear on our website at www.wigan.gov.uk/debtrecovery

An extract from the section on vulnerability is provided below:

Vulnerable Customers

There is no set definition of vulnerability in relation to poverty and the degree to which someone is considered vulnerable can vary widely. The causes of financial vulnerability can be broad and any condition or situation which affects a person's ability to manage their finances could make someone vulnerable for a period of time.

Some likely causes or examples of vulnerability could be:

- **Disabled people, including those with learning difficulties** where the disability specifically affects their ability to deal with their financial affairs.
- **People suffering from serious illness, being admitted into hospital, or mental health conditions** where their illness specifically affects their ability to deal with their financial affairs.
- **People undergoing significant changes in circumstances** such as being recently bereaved or having recently lost their job or their home.
- **People who have difficulty communicating in English** translation services are available for interaction with the Council, but where someone does not have the support of family members who can speak and read English, they may be more broadly financially excluded, and may be considered vulnerable in some cases.
- **People who have difficulty reading and writing** which is likely to prevent them from being able to read communications about their debt, and may have caused broader financial exclusion.

The above factors are not a list of reasons for automatic assessment as vulnerable, nor is it intended to be exhaustive. Assessment of vulnerability, and the steps taken to support a vulnerable customer, will be assessed by the Council on a case-by-case basis, based on the specific details provided by the customer.

Vulnerability does not exclude someone from paying a debt which they are legally obliged to, but we will provide additional support in their understanding of the debt and aim to minimise undue customer distress.

As a minimum, the identification of vulnerability will result in additional checks and system alerts on relevant Council databases where possible to ensure that the case is reviewed by a member of staff before any further action is taken.

Depending on the nature of the vulnerability there are a number of additional measures that the Council may feel it is appropriate to take:

- allowing a longer period to pay debts
- signposting and referral to other Council welfare support services and or appropriate independent advice and guidance
- temporarily suspending enforcement action
- providing additional support to overcome the vulnerability, such as home visits or assistance in completing forms
- reviewing eligibility for welfare benefits to ensure that these have been correctly assessed, and consider whether associated hardship loans or a Discretionary Housing Payment may be appropriate (rent/housing costs debts)

(6) No, our policy seeks to gain engagement at the earliest opportunity, maximise customer incomes, reduce liabilities and actively implement affordable repayment arrangements, to prevent the need to take recovery action.

(7) No