

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	THE EXECUTIVE
Date:	17 JUNE 2019
Subject:	CORPORATE DEBT RECOVERY POLICY
Portfolio Holder(s):	COUNCILLOR ROBIN WYN WILLIAMS – PORTFOLIO MEMBER (FINANCE)
Head of Service:	MARC JONES – HEAD OF FUNCTION (RESOURCES) / SECTION 151 OFFICER
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Local Members:	N/A
A –Recommendation/s and reason/s	
<p>RECOMMENDATION</p> <ul style="list-style-type: none"> • That the Executive approves the Corporate Debt Recovery Policy. <p>BACKGROUND</p> <p>On 16 July 2018, the Executive approved the Isle of Anglesey Anti-Poverty Strategy. The policy set a baseline of actions that would take place across services in the short, medium and long term using the 5 strategic themes. Short term was defined as within 1 year, medium term as 2 – 3 years and long-term as 4 – 5 years.</p> <p>Under priority 4 of the baseline of objectives, the Revenue & Benefits Service was required to adopt the Corporate Debt Collection Policy in the medium term. The policy to be approved by the Executive details the principles to be adopted by the Isle of Anglesey County Council in the collection of debts owed to the Council. It also explains how the Council will attempt to recover as many debts as possible whilst treating people and businesses fairly and with respect.</p> <p>The corporate debt recovery policy also includes procedural notes relating to the income areas collected by the Council which provide more details about debt collection procedures. Protocols have also been created governing the use of enforcement agencies and/or debt collectors by the Council and how the Council looks for people who have run away. There is a protocol on the Council's use of Credit Checking Agencies and compliance with the Data Protection Act 1998 and the General Data Protection Regulations. This ensures that financial information about individuals is only used where permission exists to use that information to identify or recover some forms of debt. There are also protocols on the use of jail sentences, insolvency orders and charges to recover debts.</p> <p>The Head of Function (Resources)/Section 151 Officer has also committed to the "Council Tax Protocol for Wales – Good Practice in Collection of Council Tax" published in January 2019 and the policy to be approved builds on the guidelines set out in this protocol and the extensive research commissioned by the Welsh Government, relating to local authorities' approaches to council tax debt recovery and the current good practice protocol supported by the National Citizens Advice Service.</p>	

The policy to be approved refers to and builds on, the guidance of the Ministry of Justice relating to standards to be used by enforcement agencies that are used to recover debts by main creditors, such as the Council, when dealing with vulnerable people. The policy also refers to reports from the Financial Conduct Authority (FCA) requiring organisations to exercise extra care when dealing with users who may be vulnerable. Currently, this area is being addressed by the government in Cardiff and Westminster. Further guidance on vulnerability is expected from the Welsh Government in the collection of council tax debts and new guidance from the FCA on how financial service providers are expected to deal with a vulnerable user, how to recognise vulnerability and establish basic training for front-line staff to support a vulnerable user.

Between 29 October 2018 and 29 January 2019, HM Treasury has consulted and sought views on its "Breathing space" policy and statutory debt repayment plan. This Council responded to this consultation through the Wales Revenue & Benefits Managers Group and Welsh Local Government Association (WLGA). The Treasury is considering these responses at the moment.

The policy to be approved is being presented earlier than set out in the Anti-poverty Strategy's timetable of baseline actions as a result of requirements placed on councils by the Welsh Government and the Westminster Government.

The Finance Scrutiny Panel considered the draft policy on 1 May 2019 and it was agreed that the policy should be presented to the Executive for adoption at its meeting in June 2019.

B – What other options did you consider and why did you reject them and/or opt for this option?

Not to introduce a corporate debt recovery policy. This would be contrary to the wishes of the Executive in July 2018. The Council also collects income from individuals and businesses for a number of reasons. This policy shows how the Council manages and collects debts to ensure consistency and fairness under all circumstances.

C – Why is this a decision for the Executive?

The Head of Function (Resources) / Section 151 Officer has responsibility for the correct administration of the Council's financial affairs under Section 151 of the Local Government Act 1972. Income collection is one of these areas of administration and the responsibilities of other officers, in terms of income collection, is outlined in the Council's Constitution (which includes the Council's Financial Procedure Rules and the Scheme of Delegation to Officers).

It is requested that the Executive, through this policy, establish a framework to ensure consistency and fairness in income collection.

CH – Is this decision consistent with policy approved by the full Council?

This policy contributes to the Authority's corporate aims and objectives.

D – Is this decision within the budget approved by the Council?

Not applicable in this case.

DD – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	
2	Finance / Section 151 (mandatory)	Author of the report
3	Legal / Monitoring Officer (mandatory)	
5	Human Resources (HR)	
6	Property	
7	Information Communication Technology (ICT)	
8	Scrutiny	This report has been before the Finance Scrutiny Panel on 1 May 2019.
9	Local Members	
10	Any external bodies / other/s	
E – Risks and any mitigation (if relevant)		
1	Economic	
2	Anti-poverty	
3	Crime and Disorder	
4	Environmental	
5	Equalities	See Appendix B
6	Outcome Agreements	
7	Other	
F - Appendices:		
<ul style="list-style-type: none"> • Appendix A – Corporate Debt Recovery Policy. • Appendix B – Equalities Impact Assessment. 		
FF - Background papers (please contact the author of the Report for any further information):		
<ul style="list-style-type: none"> • Isle of Anglesey Anti-Poverty Strategy – July 2018; • Council Tax Protocol for Wales – Good Practice in Collection of Council Tax – January 2019 (Welsh Government, WLGA and Welsh local authorities); • Local authorities' approaches to council tax debt recovery in Wales – Social Research Number: 57/2017; • Council Tax Protocol for Wales – Revised Collection of Council Tax Arrears Good Practice Protocol – June 2017 – (CAB, WLGA); • Taking Control of Goods: National Standards – April 2014 (Ministry of Justice); • Our Future Approach to Consumers – 2017 (Financial Conduct Authority); • Breathing Space Scheme: Consultation on policy proposal – 29 Hydref 2018 (HM Treasury). 		



RESOURCES FUNCTION

Revenues and Benefits

CORPORATE DEBT RECOVERY POLICY

Date	Version	Name
17 th June 2019	1 st	Geraint Jones

Summary of Policy:

The Corporate Debt Recovery Policy details the principles to be adopted by the Isle of Anglesey County Council when undertaking the collection of debt owed to the Council. It explains how the Council will attempt to maximise debt recovery while treating people and businesses fairly and with respect.

The Corporate Debt Recovery Policy has regard to the key objectives in the Isle of Anglesey County Council Plan 2017 – 2022, the Isle of Anglesey County Council's Well-Being Statement and Objectives 2017 – 18 and the Isle of Anglesey County Council's Tackling Poverty Strategy 2018.

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SECTION 1

INTRODUCTION AND PURPOSE OF THIS POLICY

The Council is committed to treating people fairly while collecting income which is owed to the Council.

The Head of Function (Resources)/Section 151 Officer has responsibility under Section 151 of the Local Government Act 1972 for the proper administration of the financial affairs of the Council. One such area of administration relates to the collection of income due to the Council. The Head of Function (Resources)/Section 151 Officer's responsibility, along with other officers, in the collection of income due to the Council is outlined in the Council's Constitution (which includes the Council's Financial Procedure Rules and Scheme of Delegation to Officers).

The Council is required to collect income from individuals and businesses for a variety of reasons and, inevitably, this will require pursuing outstanding debt from individuals and businesses that might experience difficulty in paying. Therefore, an agreed policy on how the Council manages and collects debts should ensure consistency and fairness in all circumstances.

The over-arching principles of the Council's Corporate Debt Recovery Policy (the Policy) on debt collection are:-

- To promote payment in advance or concurrent with delivery (where possible), thereby preventing debt from arising, avoiding the need to recover debt;
- Where credit cannot be avoided, to maximise debt collection to fund the delivery of services by prompt rendering of invoices/bills, reminders etc.;
- To provide and promote a variety of cost effective methods of payments, but primarily Direct Debit;
- For individuals in genuine financial difficulty, advice and support is available to maximise welfare benefit entitlement, as well as debt and financial advice. Realistic payment schedules can then be agreed or decisions made as regards the recoverability of the debt;
- Support is provided for vulnerable people to manage their financial affairs effectively which will include payment of debt;
- Protocols governing the use of enforcement officers (commonly called bailiffs) and/or debt collectors and when instigating insolvency and committal action are clearly set out and available to those who need to access them.

This Policy covers all debts owed to the Council, with the exception of penalty charge notices (parking contraventions) which is dealt with under separate statutory arrangements and administered by the "Wales Penalty Processing Partnership" (WPPP) which is part of Denbighshire County Council on behalf of the Council (and currently 10 other Welsh authorities). To view the "Civil Parking Enforcement Procedures" of the WPPP, please use the link below –

<https://www.wppp.org.uk/pdf/WPPP%20CPE%20Procedures.pdf>

This Policy states the over-arching principles applying to debt collection within the Council. It is mainly supplemented by four additional set of procedural policies (although further procedural policies may be added) covering the areas of income collected by the Council –

- council tax & business rates;
- housing rents;
- sundry debtors; and
- overpaid housing benefit / local council tax reduction.

The Policy explains the Council's principles that will be applied in the recovery of all debt and the additional procedural policies will provide more details on arrangements for collecting debts in each of the specific areas.

There are also Protocols governing the use of enforcement agents and/or debt collectors and when instigating insolvency and committal action, which also support this Policy. The Protocols for using debt collectors or enforcement agents, will also apply to the appointment of enforcement agents in recovering penalty charge notices (parking contraventions).

The Protocols also explain the circumstances under which the Council will use enforcement agents/debt collectors to recover debt. They go on to explain how the Council will trace people who have absconded, the use of Credit Reference Agencies by the Council and how insolvency and charging orders are used to recover debt. A Protocol for committing a person to prison for non-payment of a debt refer to Business Rates only, as this method of recovery only applies to these debt types.

Where individuals have multiple debts with the Council, the Policy explains how the various income collection services within the Council will work together to ensure a coordinated, consistent and fair approach to the recovery of multiple debts.

The Council recognises and accepts that some individuals and businesses might have difficulty making payments and vulnerable individuals might need help in managing their affairs. Therefore, a wide range of support mechanisms have been built into the Policy along with practices that will ensure individuals are offered as much support as is reasonably possible to be able to meet their financial obligations.

Management controls, along with regular performance monitoring and independent review processes, are in place to ensure compliance with the Policy, subsidiary procedural policies and the Protocols.

The remainder of this Policy covers:-

- Section 2: How the Council will deal with individuals and businesses
- Section 3: Ability to pay
- Section 4: Arrangements for managing multiple debts
- Section 5: Standards, complaints and where to find more information.

SECTION 2

HOW THE COUNCIL WILL DEAL WITH INDIVIDUALS AND BUSINESSES

Anyone getting into debt or expecting to face financial difficulties with the Council should contact the Council at the earliest opportunity. This will give individuals or businesses, along with the Council, the best possible chance of finding an early and effective solution to any problem.

Operational principles:-

- Invoices/bills will be produced and recovery action undertaken in accordance with the Council's statutory obligations or procedures;
- Fully trained staff will at all times act in a friendly, professional and non-judgmental manner within agreed procedures;
- Staff will make every effort to maximise income and reliefs, such as benefits/other entitlements or discounts/exemptions for individuals and businesses;
- Staff will ensure that individuals and businesses are directed to recognised welfare, money and debt advice services;
- In cases of genuine hardship, staff will assist individuals and businesses in identifying and maintaining realistic payment plans;
- The debt collection and recovery service aims to contribute to the "One Council" approach to service delivery, where possible. The debt and collection service seeks to achieve a high quality service being delivered in a cost effective manner and will look to modernise and introduce delivery models best suited to the customer in the most cost effective manner;
- The Council's web site will be developed to provide advice on welfare and debt recovery procedures, informing customers of what is expected of them as regards debt liabilities that they may incur with the Council, the implications of non-payment and assistance that is available.

The Isle of Anglesey County Council will try to prevent individuals and businesses from getting into debt with the Council. However, when debt arises, the Council will provide support to help people pay off arrears over a reasonable timescale. Formal legal recovery action will only be taken when all other reasonable avenues have been taken but **the cost of bringing such recovery action will be borne by the relevant individuals or businesses and not the Island's council taxpayers.** The level of recovery costs agreed or requested to the courts by the Council to recover debt will be lawful, reasonable and appropriate. The Council will also ensure the level of costs raised by its enforcement agents or other enforcement agencies are lawful, reasonable and appropriate when undertaking duties on behalf of the Council.

For any debt owed to the Council, individuals and businesses will be advised of the amount due and the payment options available including the timescales for making payments including, where relevant, the right to payment by instalments. Where certain type of debts are subject to discounts, reliefs or reductions, individuals and businesses will be advised of these when the invoices/bills are issued.

If payments are not made by the due date(s), the Council will issue reminder notices with the aim of bringing payments back “on track”. Advice and information will be provided by the Council of agencies that can help individuals struggling to manage their financial obligations to help them reach repayment arrangements with the Council and other organisations to whom they owe money. (Details of such agencies are provided in **Appendix 1** to this Policy).

When an individual or business fails to respond to the Council’s reminders or persistently defaults on payment agreements made with the Council, the Council can and will choose to instigate legal proceedings to recover the debt through magistrates, county or the high courts dependant on the type and value of the debt. The Council can then refer debts to debt collectors, enforcement agents or high court enforcement officers for recovery of the debt. (Protocols for instructing debt collectors, enforcement agents or high court enforcement officers to recover debts are available and will be available to those who need to access them).

How does this policy relate to other Council policies?

The Council has published its Well-Being Statement and Objectives for 2017 – 2018 which links into the Council Plan for 2017 – 2022 which details the main priorities for the Council for the next 5 years, which are –

- Ensure that the people of Anglesey can thrive and realise their long-term potential;
- Support vulnerable adults and families to keep them safe, healthy and as independent as possible; and
- Work in partnership with our communities to ensure that they can cope effectively with change and developments whilst protecting our natural environment.

The Council’s Executive formally adopted its “Anti –Poverty Strategy” in July 2018.

The Corporate Debt Recovery Policy will support such plans, objectives and strategies as they are developed. This will mean, for example, helping people manage their own financial affairs, obtaining access to mainstream banking and help for those who may require temporary or ongoing help with managing their financial affairs. This will include balancing their income and payments to ensure that they can pay their bills regularly and improving general educational knowledge of debt liabilities that may arise in life, responsibilities that arise from this and the potential outcome as regards non-payment with regard to priority and non-priority debts.

The Universal Credit Implementation Action Plan 2017 produced by Housing Services (as the lead service on Universal Credit) provides a useful example of the type of actions being planned and for example, required to develop financial support, improve financial inclusion, develop digital skills, raise awareness of implications of non-payment and improve knowledge on debt generally.

This Policy will, therefore, have to be adapted to take account of various policies that will be developed in the future.

Communication:-

The Council will ensure that all written communications as regard debt owed to the Council will be in Welsh and English using plain language wherever possible. The Council will respond to a written communication in the language used by the individual. We will explain complex terminology when this is required to be used by law. All necessary documents will be issued in a timely manner in accordance with statutory deadlines or procedures. We will explain the legal options open to the Council to collect debts, taking into account the recovery stage achieved. All communications, verbally or in writing, will comply with the Council's Welsh Language Policy, May 2016, and Welsh Language Standards, March 2016.

Data Protection and Human Rights:-

The Council will ensure that information regarding a debt that an individual or business owes to the Council will be kept secure and will not be divulged to any other person(s) without the specific authority of the individual or business concerned. The Council's policies and procedures for debt recovery will strive to be fair and equitable, acknowledging human rights and natural justice in all aspects of debt recovery.

Equalities and Diversity:-

The Council aims to provide services to the inhabitants of the Island in an open, fair and equal manner, thereby ensuring that every individual or business is treated with respect. When recovering a debt to the Council, there will be no discrimination against an individual for cultural, ethnicity or national origin, gender, disability, age, sexual orientation, political or religious beliefs (including lack of belief), socio-economic status, appearance or lifestyle.

The Council understands that some customers require additional advice and assistance in order to access services and to exercise their rights. Where available, information will be provided in Braille or audiotape as well as interpreters being arranged when required along with help for people with impaired hearing or vision.

Vulnerable individuals:-

The Council is committed to supporting individuals who may be classed as vulnerable to manage their financial affairs effectively, including the payment of debt. Individuals may be classed as vulnerable for a variety of reasons. The Council has included in this Policy a Code of Practice to its own staff, its enforcement agents and/or debt collectors and any other person or organisation used by the Council to collect debt where care and discretion should be taken when dealing with persons falling into the groups listed in **Appendix 2** which may be considered to be vulnerable for the purposes of this Policy.

If an individual believes that they are vulnerable or a person is acting on behalf of someone who is vulnerable, please tell the Council. This will ensure that the Council can deal with the individual sensitively and appropriately.

SECTION 3

ABILITY TO PAY

The Council will operate a supportive approach to debt recovery which meets the needs of each individual and offers sign posting to independent support agencies.

The Council, in pursuing debt recovery, will act in accordance with statutory regulations and professional standards. Practical steps will be undertaken to:-

- Raise awareness of debt with customers;
- Identify how much/how it has occurred;
- Raise awareness of the implications of non payment.

Ability to pay will be assessed on the basis of the amount of disposable income in proportion to the level of debt overall and debts owed to the Council. Regard will be taken that some, though not all, of the debt owed to the Council are treated as “priority debts”.

Arrangements for individuals who are in debt to the Council and who can pay:-

The Council will provide information on how to pay by advising on methods, payment frequencies and at which locations individuals can pay.

Arrangements for repaying debt will be agreed that, as a rule of thumb, ensure that **an individual’s indebtedness to the Council does not worsen**. In practice this may mean ensuring that the current or most recent account is cleared, while making the maximum contribution to clearing other debts. We will also prioritise which debts are repaid first to ensure that the debtor’s personal circumstances do not worsen, for example, housing rents or council tax will be highest priority so that the risks of the debtor losing their tenancy or being made bankrupt are minimised.

Staff will always seek to make realistic arrangements to pay outstanding debts by regular payments, in preference to taking legal action for recovery. A financial statement, identifying an individual’s household income and expenditure, may be required to support a request for a regular payment arrangement. A financial statement can be completed with the help of an independent advice agency or on-line by the individual (see **Appendix 3** of this Policy).

Arrangements for individuals who are in debt to the Council and cannot pay:-

- The Council will advise what happens if debts are not paid;
- The Council will inform who can give help/advice;
- The Council will encourage individuals to get help from a range of sources;
- The Council will make referrals to appropriate agencies.

The Council recognises that certain individuals will require more sympathetic and sensitive treatment e.g. in the case of recent bereavement, major illness or where the individual requires special assistance in handling their financial affairs. The Council will assist all individuals or businesses struggling to pay their debts to obtain appropriate advice and support.

Arrangements for debts which the Council deem to be irrecoverable:-

The Council recognises that not all debts are collectable and, therefore, it will be appropriate in certain circumstances to classify debts as irrecoverable, where pre determined criteria are met. The Council will satisfy itself that one or more of the following apply before it accepts that a debt is irrecoverable:-

- All appropriate recovery methods have been exhausted;
- The debt is uneconomical to pursue;
- To recover the debt would cause individual hardship;
- The amount is uncollectable where the debtor is bankrupt or a company in liquidation;
- The debt has been remitted or deemed non-recoverable by a court at a hearing to recover the debt;
- The debtor has been imprisoned in respect of the debt;
- The debtor has absconded and cannot be traced or a business has ceased trading;
- The debt is statute barred from being recovered;
- It is not in the best interests of the Council to pursue the debt.

Arrangements for irrecoverable debts to be written off:-

Arrangements for the writing off of debts are detailed in the Council's Financial Procedure Rules. The Council's Executive may, from time to time, review and determine the delegated authority, value and circumstances allowing the writing off of debts.

This was last reviewed and determined by the Executive on 30 November 2010 and is currently as follows –

- Head of Function (Resources)/Section 151 Officer
 - Up to £5,000; and
 - Unlimited where the debtor is bankrupt; or the debtor is a company in liquidation; or the debt has been remitted by a court; or the debtor has been imprisoned in respect of the debt.
- Delegated Executive Decision to Head of Function (Resources) and Portfolio Holder (Finance)
 - Over £5,000.

The Head of Function (Resources) from 5 June 2017 has delegated write off of debts to other officers -

- Revenues Manager – can write off outstanding balances of up to £10 where a debt has been mostly paid but a small balance remains. The power to write off debts does not extend to debts where the invoice was for a sum of less than £10 and no payment has been received.
- Revenues and Benefits Service Manager – can write off any debt up to £250 without having to refer the case to the Head of Function (Resources)/ Section 151 Officer.

SECTION 4

ARRANGEMENTS FOR MANAGING MULTIPLE DEBTS OWED TO THE COUNCIL

The Council will adopt a coordinated approach to dealing with anyone having multiple debts with the Council, taking into account the individual's circumstances and the level and type of debt owed to the Council.

In terms of efficiency and effectiveness, experience shows that collection is maximised by pursuing debts on an individual service basis in a timely manner. In addition, the existence of different recovery legislation in relation to Council Tax, Housing Rents, Sundry Income etc., tends to support this approach.

However, when it is apparent that a customer is unable to pay a debt, or a number of like debts, the aim will be to agree an arrangement to pay (where appropriate), which takes into consideration the specific circumstances of the individual and the types of debts owed to the Council. The Council, when agreeing an arrangement for payment of multiple debts owed to it by an individual or business, will prioritise debts as follows (in descending order)–

For individuals:-

- Council Mortgage/Housing Rent/Small Holdings Rent/Debt due to fraud;
- Council Tax/Business Rates;
- Overpaid Housing Benefits;
- Sundry Debtors/Former Housing Tenant Rent Arrears.

For businesses:-

- Commercial Rent/Small Holdings Rent/Debt due to fraud;
- Council Tax/Business Rates;
- Sundry Debtors.

(Pre charge registration Penalty Charge Notices (parking contraventions) on their own are excluded from the arrangement process for multiple debts owed to the Council, although they are treated as a priority debt for purposes of calculating the ability to pay off debts by an individual).

To improve the efficiency of the Council's approach to helping individuals, in particular, cope with multiple debts, staff from the relevant services will liaise closely on cases where debts exceed minimum levels and advanced stage recovery action is being considered, such as:-

Housing Rents - Notice to seek Possession issued

Council Tax - Consideration of petitions in bankruptcy or charging orders

Business Rates - Consideration of pre-committal summons or insolvency petitions

Sundry Debtors/ - Relevant cases considered for referral for legal action
Commercial Rent/ (minimum value £600)
Small Holdings Rent/
Former Housing
Tenants Arrears

Overpaid Housing - Relevant cases considered for referral for legal action
Benefit (minimum value £600)

Where any individual reaches the debt recovery stage outlined above in any of the areas, the relevant officer will contact the other services to facilitate a coordinated consideration of any multiple debts and undertake a financial statement covering income and expenditure.

SECTION 5

STANDARDS, COMPLAINTS AND WHERE TO FIND MORE INFORMATION

The Council will adopt a flexible approach, while complying with its own or prescribed standards of service.

What Services will customers receive?

In determining how residents and businesses can best be supported and encouraged to address debt issues, the Council's service provision at the first point of contact will be delivered in a sensitive way.

Once a resident or business has made contact, it is imperative that they are referred on to the most appropriate source of debt management support, if required.

Residents or businesses presenting with a single debt will be able to make a payment or, where the debt cannot be cleared, a realistic agreement to pay via the relevant service.

Residents or businesses presenting with multiple debts need to believe that there is a solution to their debt problems and will be actively encouraged to share with staff information on all monies owed, in order for the most appropriate referral to be made, if required.

This Policy does not promote a "one size fits all" approach, but rather looks to work with the resident or business to take agreed steps to help address multiple debts.

Each service collecting debt for the Council has established comprehensive procedural policies they will follow when collecting debt.

Complaints:-

In the first instance, residents and businesses should make any complaint about any debt recovery actions taken by the Council direct to the service collecting the debt. Contact details are detailed later in this section.

If any complainant is dissatisfied with the response received, they should use the Council's formal complaints procedure. For details please visit the Council's website at:-

<http://www.anglesey.gov.uk/en/Get-involved/Comments-compliments-and-complaints/Making-an-official-complaint.aspx>

Where to find out more:-

More details relating to the application of this Policy for council tax, business rates, housing rents, sundry debts and overpaid benefits, please use the following contact details in the first instance:-

Council Tax – Billing & Recovery

Resources Function (Revenues)

Council Offices

LLANGEFNI

Anglesey

LL77 7TW

Telephone: (Billing 01248 750057) (Recovery 01248 752214)

Email: revenue@ynysmon.gov.uk

For Business Rates – Billing & Recovery

Resources Function (Revenues)

Council Offices

LLANGEFNI

Anglesey

LL77 7TW

Telephone: (Billing 01248 750057) (Recovery 01248 752214)

Email: revenue@ynysmon.gov.uk

For Housing Rents -

Housing Service

Council Offices

LLANGEFNI

Anglesey

LL77 7TW

Telephone: (01248 752200)

Email: ADRANTAI@ynysmon.gov.uk

For Sundry Debtors – Billing & Recovery

Resources Function (Revenues)

Council Offices

LLANGEFNI

Anglesey

LL77 7TW

Telephone: (Billing 01248 750057) (Recovery 01248 752214)

Email: income@ynysmon.gov.uk

For Overpaid Housing Benefits – Billing & Recovery

Resources Function (Benefits & Revenues)

Council Offices

LLANGEFNI

Anglesey

LL77 7TW

Telephone: (Billing 01248 750057) (Recovery 01248 752214)

Email: benefits@ynysmon.gov.uk

HELP WITH MANAGING YOUR MONEY AND DEBT

It is often the case that customers do not know where to turn if they are concerned about managing their money or they have debts and many customers are not opting for advice that is available. Customers are still unwilling to access the services of a financial adviser or debt advisor which means customers make complex choices without support.

Ignoring the problem will not make it go away. Customers must ask for help and there are many organisations that can provide advice on welfare, debt and money problems.

In the Financial Conduct Authority's "Our Financial Lives Survey 2017", this showed that very few consumers are 'ideal'. Low levels of financial capability, financial resilience and confidence in their ability to make financial decisions, coupled with behavioural biases, make it difficult for firms and organisations to expect consumers to always take responsibility for their decisions and actions.

The Authority uses part of its budget to ensure that welfare advice, along with financial advice and debt advice, is available on the Island for individuals and businesses. The Authority has agreed to provide funding to –

- **Its own J.E.O'Toole Centre**

This primarily provides a welfare rights service involving practical help, advice and information. This is located at –

Trearddur Square
Holyhead
Anglesey
LL65 1NB

<https://www.anglesey.gov.uk/en/Residents/Benefits-and-grants/Welfare-Rights-and-other-organisations-that-can-help.aspx>

cathp@anglesey.gov.uk

01407 760208

- **The Citizens Advice**

Citizens Advice (CAB) to offer advice on financial advice and debt problems. The CAB also provide a very wide range of advice on other money and non-money topics. Your local Citizens Advice can be contacted at –

a) 6 Victoria Terrace, HOLYHEAD, Anglesey, LL65 1UT.

<https://www.citizensadvice.org.uk/local/ynys-mon/contact-us/?serialnumber=561457>

AngleseyCA@gmail.com

03444 772020

b) Canolfan Ebeneser, Bridge St, LLANGEFNI, Anglesey, LL77 7PN.

<https://www.citizensadvice.org.uk/local/ynys-mon/contact-us/?serialnumber=102150>

AngleseyCA@gmail.com

03444 772020

c) Town Council Offices, Llawr y Llan, Lôn Goch, AMLWCH, Anglesey, LL68 9EN.

<https://www.citizensadvice.org.uk/local/ynys-mon/contact-us/?serialnumber=102146>

03444 772020

For its own housing tenants, the Authority provides its **Housing Support Services** to help people live in their home enabling people to deal with their affairs – but not doing it for them. For example, managing money, accessing welfare rights and services, avoiding falling in arrears and debt. This service is located at -

9a Peibio Close, HOLYHEAD, Anglesey, LL65 2EG.

<https://www.anglesey.gov.uk/en/Residents/housing/housing-support-service.aspx>

Customer Services 01248 752200 or directly on 01407 765912.

housingsupport@anglesey.gov.uk

Business support services is also available on the Island. As the Authority manages or administers direct business support services, such as grants, premises etc. and ensuring a transparent separation of duties, the Authority recommends that business.wales.gov.uk (<http://business.wales.gov.uk>) is the first point of contact if you are thinking of starting a business or for general business enquiries.

The various links to this website and other external web sites providing advice to businesses is –

<https://www.anglesey.gov.uk/en/Business/Business-Finance-and-Grants/Advice-on-Grants-and-Finance.aspx>

Authority's own staff will, therefore, direct individual customers to organisations on the Island which have been provided support from the Authority's budget to provide welfare and financial advice as well as debt advice and for businesses to business.wales.gov.uk. However, the Authority also recognises that there are many organisations that can give advice about debt and money problems and that customers may wish to make their own choices who to seek help from and are more suited to their specific requirements.

The organisations listed below are a guide only. The Authority has tried to make sure that the information is correct at the date shown on the cover of this Policy, it is possible that there may be incorrect information which need updating.

Isle of Anglesey County Council

There is a specific web page <https://www.anglesey.gov.uk/en/Residents/Benefits-and-Grants/Welfare-Rights-and-other-organisations-that-can-help.aspx> which provides information or directs you or provides links to various organisations who provide welfare, financial and debt advice. There are also useful web links for businesses on the Authority's web site –

<https://www.anglesey.gov.uk/en/Business/Business-Finance-and-Grants/Advice-on-Grants-and-Finance.aspx>.

British Bankers' Association (BBA)

The BBA produce some useful leaflets on proving your identity and a range of banking services. For more information: visit www.bba.org.uk.

Money Advice Service (MAS)

This is an independent service set up by the Government. The MAS provide a financial health check service. For more details: visit <https://www.moneyadviceservice.org.uk/en/tools/health-check>. This can help you work out your financial priorities and make decisions about your money.

The MAS also have a budget calculator to help you to think about your spending and to work out whether you have enough money coming in to cover your outgoings. For more details: visit

<http://www.moneymadeclearwales.org/>
<https://www.moneyadviceservice.org.uk/>

0800 1387777

Step Change Debt Charity

The Step Change provides free debt advice over the phone. Everything is free and confidential, from budgeting advice to practical Debt Management Plans. This service is available to everyone in the UK. For more details: look on their website www.stepchange.org or ring them on 0800 1381111 or write to them at: Step Change Debt Charity, Wade House, Merrion Centre, Leeds. LS2 8NG.

Shelter Cymru

This is mainly a telephone and on-line advice service. The local Shelter Cymru office is at Menai Office, PO Box 172, Y Felinheli, Gwynedd, LL56 4RX. Support Line – 0845 0755005 or email advicenorth@sheltercymru.org.uk. or details of appointments services on the Island <https://sheltercymru.org.uk/get-advice/advice-near-you/anglesey/>

National Debtline

This is a telephone based service and is a national helpline for people with debt problems in England, Wales and Scotland. They will discuss debt problems with you and explain the options available to you. For more details: look on their website www.nationaldebtline.co.uk, ring them on 0808 808 4000 or have a web chat with an advisor. They are located at National Debtline, Tricorn House, 51-53 Hagley Road, Edgbaston, Birmingham B16 8TP.

Payplan

Payplan provide free debt advice and management. For more details: look on their website www.payplan.com, ring them on 0800 278 6944 or write to them at: Payplan Ltd, Kempton House, Dysart Road, Grantham, NG31 7LE.

Insolvencyhelpline.co.uk

This is a not for profit debt advisory service for debt advice and debt management. For more details: look on their website <https://www.gov.uk/the-insolvency-service>, email insolvency.enquiryline@insolvency.gsi.gov.uk or ring them on 0300 678 0015.

Government Services and Information – Money and Tax

The UK Government information service provides advice on money and tax matters which includes advice on what to do if you receive, for example, a call from an enforcement agent (formerly called bailiff), County Court judgment or options to pay off your debts. This information is available on – <https://www.gov.uk/browse/tax/court-claims-debt-bankruptcy>.

Age Concern

Age Concern provides information on income and benefits for older people. For more details: look on their website www.ageuk.org.uk/cymru, ring them on 0800 223 444 or write to them at: Age Concern Cymru, Tŷ John Pathy, 13/14 Neptune Court, Vanguard Way, Cardiff, CF24 5PJ.

The Money Charity

The Money Charity provides information and guidance for people with debt or money worries. For more details: look on their website www.themoneycharity.org.uk, email hello@themoneycharity.org.uk, ring them on 0207 7062 8933 or write to them at: The Money Charity, 15 Prescott Place, London, SW4 6BS.

Advice UK

Advice UK is a registered charity and is the UK's largest support network for free, independent advice centres. For more details: look on their website www.adviceuk.org.uk, ring them on 0300 777 0107 or write to them at: Advice UK, 101E Universal House, 88 – 94 Wentworth Avenue, London, E1 7SA.

CODE OF PRACTICE - Guidance on Vulnerable Cases

Defining vulnerability can be difficult

The **Ministry of Justice** issued in April 2014 its “Taking Control of Goods: National Standards”. These standards are intended for use by all enforcement agents, public and private, the enforcement agencies that employ them and the major creditors who use their services e.g. local authorities.

This national guidance does not replace local agreements, existing agency codes of practice or legislation; rather, it sets out what the Ministry of Justice, those in the industry and some major users regard as minimum standards. It is recognised that this document is not legally binding, but it was offered as a helpful tool for the industry and for creditors which, it is hoped, will inform their own arrangements and against which they may benchmark their professional standards.

These standards place obligations on creditors in respect of appropriateness of enforcement referral and in alerting an enforcement agency of vulnerability, having agreed protocols in place and, as a creditor, prepared to take control back from the enforcement agent. It lists (though not a definitive list) in the National Standards, people who can be considered to be vulnerable –

- Older people;
- Disabled people;
- Mentally ill;
- The seriously ill;
- The recently bereaved;
- Single parent families;
- Pregnant women;
- Unemployed people;
- Those who have obvious difficulty in understanding, speaking or reading English.

These standards also place obligations as regards enforcement agents to alert creditors of identified vulnerabilities and act in accordance with the legislation, enforcement agents are also trained to recognise vulnerability and know when to withdraw and have ability to use their discretion.

The Taking Control of Goods (Fees) Regulations 2014 also stipulates where the debtor is a vulnerable person, the fee or fees due for the enforcement stage are not recoverable **unless** the enforcement agent has, **before proceeding to remove goods** which have been taken into control, given the debtor an adequate opportunity to get assistance and advice in relation to the exercise of the enforcement power.

The Taking Control of Goods Regulations 2013 defines a disabled person as a person –

- a) Whose sight, hearing or speech is substantially impaired;
- b) Who has a mental disorder;

c) Who is physically substantially disabled by any illness or any impairment present since birth, or otherwise.

The **Financial Conduct Authority (FCA)** expects firms and organisations to exercise extra care where consumers may be vulnerable, although the FCA recognises that it may be challenging for firms and organisations to identify vulnerability in some cases.

Firms and organisations expect consumers to take reasonable responsibility for their choices and decisions. However, the precise degree of reasonableness will depend on the circumstances. A consumer who has taken regulated advice should be able to rely on it being appropriate but, as mentioned above, extra care should be exercised for consumers who are vulnerable not recognising that they are experiencing difficulties and / or are reluctant to discuss personal matters.

The FCA, in its mission statement “Our Future Approach to Consumers” 2017, recognise that they must also regulate for real consumers and not just the “ideal” consumer. Before deciding on what makes a consumer potentially vulnerable, it will be beneficial to describe what an “ideal” consumer is. The FCA states –

“The ‘ideal’ consumer would always behave rationally, meaning that they would take a keen interest in their financial services products and always read the small print in full. They would switch when their research showed they were not getting the best possible deal and they would be capable of making the complex calculations and trade-offs to understand and compare the value of products. They would prioritise researching the best deals and act on their findings to reward competitive firms with their business.” They go on to state –

“Our Financial Lives Survey 2017 shows that very few consumers are ‘ideal’. Low levels of financial capability, financial resilience and confidence in their ability to make financial decisions, coupled with behavioural biases, make it difficult for firms to expect consumers to always take responsibility for their decisions and actions.”

Their survey also showed that 50% of consumers show characteristic of potential vulnerability but potential harm does not necessarily develop into real harm for the majority of them. This means, for this Authority, from the FCA’s conclusions, it requires a careful balancing act between itself and wider stakeholders to ensure a balanced approach to these issues so that vulnerable consumers are not only helped and protected but also able to participate in the same markets as everyone else i.e. the fact that a consumer is deemed ‘vulnerable’ is not an excuse not to pay a debt owed but that extra care is exercised in the collection of debt when a consumer is deemed vulnerable and that consumer is provided with debt advice, in particular the prioritisation of different debt types.

In addition to the list provided by the Ministry of Justice, the FCA’s overall definition of vulnerable consumers is particularly useful. They define vulnerable consumers as –

- **“people who can readily be identified as significantly less able to engage with the market; and/or**
- **people who suffer disproportionately if things go wrong”.**

The FCA then goes on to divide the causes of vulnerability into 4 categories –

- 1. Health.** In the FCA's Financial Lives Survey 2017, 5% of UK adults fell into this category, stating that their ability to carry on day-to-day activities was reduced a lot due to ill-health.
- 2. Resilience.** 30% of UK adults have been identified as having low financial resilience based on their own replies to the survey. Consumers in this category are exposed to plausible increases in interest rates, taxation and prices or a small change in their circumstances e.g. a consumer would struggle to pay their mortgage if it increased by less than £50 a month.
- 3. Life events.** These are usually major events that have happened in the last 12 months, such as divorce, redundancy or death of a close family member. Such an event, according to the FCA survey, happened to 19% of UK adults or their partner.
- 4. Capability.** This is defined as very low knowledge of financial matters or low confidence in managing their money. 17% of people were identified as having low capability.

Potentially vulnerable consumers may be able to 'cope' if they suffer from one cause, but they may become more susceptible to harm if they suffer from more than one cause at the same time. The FCA's own research has identified that as many as 2.2 million consumers are at risk of increased harm from financial shocks and have also experienced a life event in the last 12 months.

All consumers can be vulnerable at some point in their life, for example through serious illness or bereavement. The FCA expects firms and organisations to have to pay attention to possible indicators of vulnerability and have policies in place to deal with consumers who may be at greater risk of harm.

The Authority will use the following as indicators of vulnerability for debt collection purposes –

- **Need for care and support:** consumers that require physical, emotional or psychological care and support;
- **At risk of abuse or neglect, being unable to protect themselves from exploitation:** consumers who may be under the psychological control of a third party, where there has been a withdrawal of freedom of movement, humiliation, being blamed or intimidated;
- **Already living in accommodation other than general needs such as sheltered housing, extra care and long term care accommodation;**
- **Already receiving domiciliary or auxiliary health care;**
- **Having prescribed physical or mental health problems;**
- **Requiring assistance to conduct their affairs;**
- **Low communication skills:** being unable to communicate, poor articulation, limited expressive skills, assistive devices, language difficulties;

- **Poverty:** where poverty limits or prevents access to assistive devices or living in a safe environment or prioritising debts over human needs or not heating the home or not eating properly;
- **Social isolation:** this can give rise to feeling of ineptitude, reluctance to seek advice, fear of rejection, low self-esteem, questioning reality and anxiety.

In general, the Authority will consider a person to be vulnerable for debt collection purposes, if it would be unreasonable to expect that person to be able to deal with the debt problem themselves.

As the Authority uses internal or external enforcement agents and/or internal and external debt collectors, disability equality duty specifications must be included in procurement contracts. Enforcement agents or debt collectors, when acting for a local authority, assume the role of a public body and are bound by all the rules of conduct that apply.

What would the Authority then deem to be a vulnerable consumer for the purposes of debt recovery?

The Authority will initially have to make judgements on what are its reasonable expectations of its consumers with regard to payment of debt owed to the Authority and also demonstrate that decisions regarding debt recovery is based on a clear understanding of the consumers that use and pay for their services. For example, with regard to Council Tax, an 'ideal' taxpayer would advise the Authority of liability at a property within a reasonable time (usually less than 1 month) of moving in and advise of the people who live there over 18 years in age. They would ensure that all discounts, exemptions or disregards are applied for in a reasonable time and establish if they could be eligible, based on their income, for a Council Tax Reduction.

The taxpayer would then chose the preferred method of payment, preferably by Direct Debit, and then make payments in accordance with the agreed statutory instalments. The taxpayer would contact the Authority to elect to pay by 12 months. The taxpayer would then, within a reasonable time (usually within 1 month), advise of any changes to liability and pay in accordance with the revised demand.

Having regard to the Ministry of Justice's National Standards, the FCA's reports and the Authority's own consumer base, the Authority has decided that care and discretion should be taken when dealing with persons falling into the following groups which may be considered to be vulnerable for the purposes of this Code of Practice in respect of collecting debts owed to the Authority. Where the following circumstances are encountered, the approach expected by the Authority is outlined below:-

Elderly Persons

An elderly person is not necessarily vulnerable and a great many elderly people are financially secure and both mentally and physically healthy. However, some elderly people are frail, confused, ill and living on fixed and limited incomes and, therefore, are considered to be vulnerable.

If it is evident when seeking to recover a debt that the debtor falls into the latter categories, staff should consult with their line manager on the best way to proceed and, for Authority's enforcement officers, no attempt to levy or remove goods should be made without first consulting the Authority and that Authority debt collectors should contact the Authority for advice.

Disabled Persons

A person with a disability is not necessarily vulnerable for the purposes of this Code of Practice. However, where the disability affects the person's ability to deal with their financial affairs, they should be considered to be vulnerable.

Where a staff member believes that the debtor's disability is affecting the person's ability to deal with financial matters, guidance should be sought from their line manager. Regardless of the severity of the disability, an Authority enforcement officer should never remove or levy distress on goods that are necessary to the wellbeing of the person due to their disability. If it is evident that the debtor has a disability that is anything other than a relatively minor disability, no action should be taken without consulting the Authority. Authority debt collectors should also consult with the Authority in such circumstances.

Persons with Mental Impairment or Learning Difficulties

If it is evident that the debtor has mental impairment or learning difficulties, they should be considered to be vulnerable and no action should be taken without consulting a line manager or, for external agencies, the Authority.

Persons Experiencing Serious Illness, including Mental Illness

Where the debtor (or the debtor's partner) appears to be suffering from any condition which is serious or life threatening, they could be considered to be vulnerable. No action should be taken if the debtor (or the debtor's partner) is suffering from any condition which is serious, life threatening, or where the staff member, the Authority's enforcement agent or debt collector has concern that further action may be seriously detrimental to the person's welfare.

A Person Recently Bereaved

A person suffering the recent bereavement of a close relative could be considered to be a vulnerable person.

Bereavement affects different people in different ways and staff members, enforcement agents and debt collectors will need to exercise discretion in determining whether a person that has experienced recent bereavement is vulnerable based on the individual circumstances. Where the debtor (or the debtor's partner) is obviously still extremely distressed, the staff member, the Authority's enforcement officer or debt collector should seek guidance from a line manager or the Authority before proceeding, even though some time may have passed.

Lone Parents

A lone parent is not necessarily a vulnerable person and it is recognised that some lone parents are financially secure. However, lone parents, and in particular those with very young children, may have difficulty in undertaking employment and, therefore, rely on Welfare Benefits. A staff member, the Authority's enforcement agent or debt collector should exercise discretion and consult a line manager or the Authority before taking action where there is reason to believe that a lone parent may be vulnerable.

Pregnancy

A person in the latter stages of pregnancy may find dealing with serious financial issues stressful, particularly if they are not supported by a partner, or if they are on a low income or benefits. This may be compounded by any additional essential expenditure due to the pregnancy or birth of a child.

Where it is evident that a debtor or their partner, is pregnant, the staff member, the Authority's enforcement officer or debt collector should take care to avoid causing stress as this could be detrimental to the person's wellbeing. Where the staff member, Authority's enforcement officer or debt collector has concerns that further action may be detrimental to the person's welfare, they should seek further advice from their line manager or the Authority.

Persons receiving Income Support, Job Seeker's Allowance (Income Based), Employment and Support Allowance (Income Related) or Pension Credit (or where a benefit application has been made for such welfare payments but not yet determined)

Those on Income Support, Job Seeker's Allowance, Employment and Support Allowance or Pension Credit are living on a subsistence level benefit.

An Authority staff member should seek alternative recovery remedies that are available before instructing the Authority's enforcement officer or debt collector.

Generally, an Authority's enforcement officer should withdraw automatically where the debtor provides evidence they are in receipt of Income Support or Job Seekers Allowance and advise the Authority immediately, as alternative recovery remedies are available to the Authority (e.g. attachment of benefits). In this event, the liability order should be returned to the Authority. If it appears to the Authority's enforcement officer that the debtor may be claiming benefit fraudulently, the Authority's enforcement officer should contact the Authority to report their concerns before taking any action. If the debtor is awaiting the result of a benefit application, the Authority's enforcement officer should contact the Authority before taking any action.

In some circumstances, the Authority may request the Authority's enforcement officer to take enforcement action, for example where the amount that may be deducted from benefits is less than the accruing liability. In such cases, the Authority will provide explicit instructions to its enforcement company.

The Authority's debt collector can return the debt to the Authority if the debt collector deems that the recovery of the debt having regard to the person's circumstances is low or nil.

Unemployed Persons

Unemployment does not automatically mean the debtor is vulnerable. For example, a person may have received a substantial redundancy payment and be financially secure in the short-term. However, loss of employment may result in serious financial difficulties if a person is suddenly unable to meet their existing financial commitments.

A person who has recently become unemployed after a long period of employment may be unfamiliar with processes for claiming benefits and may need additional assistance to understand their entitlements.

If it is evident from the staff member, the Authority's enforcement officer or debt collector's observation of the debtor's circumstances that the debtor may be vulnerable, no action should be taken without consulting a line manager or the Authority.

A Person who has Difficulty Understanding Welsh or English

Where a person does not understand either spoken or written Welsh or English, they should be considered to be vulnerable, particularly if they do not have support from family members who can speak and read Welsh or English.

Where a staff member, the Authority's enforcement officer or debt collector has reason to believe a person may have difficulty understanding Welsh or English, this should be reported to the line manager or the Authority who will provide advice on how to proceed.

Persons Aged Under 18

It is unlikely that a person aged less than 18 years will owe any sums to the Authority; however, it is possible that a person may assist or care for a parent or other older person and could contact the Authority on their behalf. A person aged less than 18 years may be the only person at home when a visit is made. Anyone aged less than 18 years should automatically be considered to be vulnerable.

A person that has difficulty reading or writing

A person who has difficulty reading or writing should usually be regarded as vulnerable because they will have difficulty in understanding written notices. People who have difficulty reading or writing are often reluctant to reveal their difficulties and where there is concern that a person has such difficulties, the issue should be addressed in a sensitive manner.

Where the staff member, Authority's enforcement officer or debt collector has reason to believe a person may have difficulty reading or writing, this should be reported to the line manager or the Authority who will provide advice on how to proceed.

Cases where the welfare of children would be put at risk

If it appears to the staff member, Authority's enforcement officer or debt collector that the welfare of young children may be put at risk by the Authority's actions, or where the staff member, Authority's enforcement officer or debt collector has reason to be concerned about the welfare or safety of a child, the concerns should be reported to the Authority immediately who will provide advice on how to proceed.

People who have experienced recent marital break-up

If it is evident to the staff member, Authority's enforcement officer or debt collector that non-payment may be due to a recent marital break-up, the staff member, Authority's enforcement officer or debt collector should consult with the line manager or the Authority.

Possible Job Losses

In any case where there is evidence that job losses may result through the non-payment of a debt or removal of goods, the staff member, Authority's enforcement officer or debt collector must consult with the line manager or the Authority before undertaking enforcement action to recover the debt or before removing goods.

Other Unusual Circumstances

If the staff member, Authority's enforcement officer or debt collector finds unusual circumstances that are not covered by any of the above categories, the staff member, Authority's enforcement officer or debt collector should take no action without consulting the line manager or the Authority.

Incwm & Gwariant / Income & Expenditure

Rhowch yr HOLL ffigyrau fel symiau wythnosol NEU symiau mis calendr
 Please give ALL figures as either weekly OR calendar monthly amounts

Enw / Name:

Rhif Cyf / Ref No:

Cyfeiriad / Address:

..... Côd post / Post Code:

WYTHNOSOL / MISOL* (*Dileu fel sy'n briodol)	Incwm / Income		WEEKLY / MONTHLY* (*Delete as appropriate)
	£	p	
Eich enillion	-		Your earnings
Enillion eich partner	-		Partner's earnings
Cyfraniadau rhai nad yw'n ddibynnol	-		Non-dependent contributions
Credyd Cynhwysol	-		Universal Credit
Cymhorthdal Incwm	-		Income Support
Budd-dal Tai	-		Housing Benefit
Lwfans ceisio gwaith	-		Jobseeker's Allowance
Budd-dal analluogrwydd	-		Incapacity Benefit
Tâl salwch statudol	-		Statutory Sick Pay
Credyd treth gwaith	-		Working Tax Credit
Credyd treth plant	-		Child Tax Credit
Budd-dal plant	-		Child Benefit
Tâl Cynnal a dderbynnir	-		Maintenance received
Lwfans Byw Anabledd	-		Disability Living Allowance
Budd-dal arall 1:	-		Other benefit 1:
Budd-dal arall 2:	-		Other benefit 2:
Ffi llety	-		Lodging fee
Arall 1:	-		Other 1:
Arall 2:	-		Other 2:
CYFANSWM INCWM	A	-	A TOTAL INCOME

Gwariant/Outgoings

	£	p	
Rhent	-		<i>Rent</i>
Morgais/benthyciadau a sicrhawyd	-		<i>Mortgage / secured loans</i>
Rhent tir / tâl gwasanaeth	-		<i>Ground rent / service charge</i>
Dreth Gyngor	-		<i>Council Tax</i>
Treth dŵr	-		<i>Water rates</i>
Trydan	-		<i>Electricity</i>
Nwy	-		<i>Gas</i>
Olew / tanwydd arall	-		<i>Oil / other fuel</i>
Cynnal a chadw	-		<i>Maintenance</i>
Dirwyon Ynadon	-		<i>Magistrates fines</i>
Yswiriant bywyd	-		<i>Life assurances</i>
Yswiriant adeiladau	-		<i>Buildings insurance</i>
Yswiriant cynnwys	-		<i>Contents insurance</i>
Yswiriant iechyd	-		<i>Health insurance</i>
Iechyd (e.e. deintydd, profion llygaid)	-		<i>Health (e.g. dentists, eye tests)</i>
Ffôn	-		<i>Telephone</i>
Trwydded deledu	-		<i>Television licence</i>
Treth car	-		<i>Car tax</i>
Yswiriant car	-		<i>Car insurance</i>
Car, MOT, trin ac atgyweirio	-		<i>Car MOT, service & repairs</i>
Petrol	-		<i>Petrol</i>
Costau teithio eraill	-		<i>Other travelling expenses</i>
Dillad ac esgidiau	-		<i>Clothes & shoes</i>
Bwyd a chadw tŷ	-		<i>Food & housekeeping</i>
Bwyd anifeiliaid anwes	-		<i>Pet food</i>
Yswiriant Anifeiliaid anwes / biliau Milfeddyg	-		<i>Pet insurance / veterinary bills</i>
Deunydd glanhau a phethau ymolchi	-		<i>Cleaning materials & toiletries</i>
Prydau ysgol	-		<i>School meals</i>
Tripiau ysgol	-		<i>School trips</i>
Gofal / Gwarchod plant	-		<i>Childcare / child-minding</i>
Arian poced plant	-		<i>Children's pocket money</i>
Eitemau cartref (trwsio ayyb.)	-		<i>Household items (repairs etc.)</i>
Papurau newydd a chylchgronau	-		<i>Newspapers & magazines</i>
Mynd allan / adloniant	-		<i>Going out / entertainment</i>
Alcohol/sigaréts/melysion	-		<i>Alcohol / cigarettes / sweets</i>
Arall 1:	-		<i>Other 1:</i>
.....		
Arall 2:	-		<i>Other 2:</i>
.....		
			...
CYFANSWM GWARIANT	B	-	B
			TOTAL OUTGOINGS

**ARIAN AR ÔL YN DILYN
GWARIANT WYTHNOSOL /
MISOL (ar gael ar gyfer
credydwr â blaenoriaeth)**

$$A - B = C$$

C	-	C
----------	---	----------

**MONEY LEFT AFTER
WEEKLY / MONTHLY SPEND
(available for priority
creditors)**

**Dyledion â
blaenoriaeth / Priority
Debts**

£ p

Ôl-ddyledion rhent	-		<i>Rent Arrears</i>
Ôl-ddyledion morgais	-		<i>Mortgage arrears</i>
Ôl-ddyledion benthyciadau a sicrhawyd	-		<i>Secured loan arrears</i>
Ôl-ddyledion Dreth Gyngor	-		<i>Council Tax arrears</i>
Ôl-ddyledion nwy	-		<i>Gas arrears</i>
Ôl-ddyledion trydan	-		<i>Electricity arrears</i>
Dirwyon	-		<i>Fines</i>
Dyfarniadau Llys Sirol	-		<i>County Court judgments</i>
Ôl-ddyledion tâl cynnal	-		<i>Maintenance arrears</i>
Treth / Yswiriant gwladol (dim PAYE)	-		<i>Tax / National insurance (non-PAYE)</i>
Arall:	-		<i>Other:</i>

**CYFANSWM
DYLEDION Â
BLAENORIAETH**

D	-	D
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**TOTAL
PRIORITY DEBTS**

$$C - D = E$$

**ARIAN AR ÔL (os o gwbl) ar
gyfer credydwr sydd ddim yn
cael blaenoriaeth**

E		E
----------	--	----------

**TOTAL MONEY LEFT
(if any) for non-priority
creditors**

**Dyledion sydd ddim
yn cael blaenoriaeth /
Non-priority Debts**

£ p

Cardiau credyd	-		<i>Credit cars</i>
Catalogau	-		<i>Catalogues</i>
Benthyciadau dydd tâl/rhyngryd	-		<i>Pay day / internet loans</i>
Cardiau siopau	-		<i>Store cards</i>
Credydwr arall 1:	-		<i>Other creditor 1:</i>
Credydwr arall 2:	-		<i>Other creditor 2:</i>
Credydwr arall 3:	-		<i>Other creditor 3:</i>

**CYFANSWM DYLEDION
SYDD DDIM YN CAEL
BLAENORIAETH**

-

TOTAL NON-PRIORITY DEBTS

Ticiwch **UN** o'r blychau isod Please tick **ONE** of the boxes below:



Mae hwn yn gofnod cywir o fy sefyllfa ariannol ar / / 20
This is a true record of my financial situation on:

NEU / OR



Mae hwn yn amcangyfrif cywir o beth *This is a true estimate of what my financial*
fyddai fy sefyllfa ariannol, pe bawn yn *situation shall be, if I were to take up*
symud i: *occupation of:*

.....
(cyfeiriad / address)

Llofnodi / Signed:

Isle of Anglesey County Council - Equality Impact Assessment Template

Revision history:		
Version	Date	Summary of changes
0.1	28 May 2019	
Step 1: Background		
1 - What are you assessing?	Corporate Debt Recovery Policy (Policy)	
2 - Is this a new or existing proposal?	New	
3 - What are the aims and purpose of this proposal?	<p>The Policy details the principles to be adopted by the Isle of Anglesey County Council when undertaking the collection of debt owed to the Council. It explains how the Council will attempt to maximise debt recovery. It also aims to -</p> <ul style="list-style-type: none"> • Treat people fairly while collecting income which is owed to the Council; • Achieve the best possible chance of finding an early and effective solution to a person/business getting into a debt or expecting to face financial difficulties with the Council; • Achieve a coordinated approach to dealing with a person having multiple debts with the Council; • Provide a supportive approach to debt recovery meeting individual needs and signposting to independent support agencies; • Provide a code of practice to Council staff, its enforcement agents and/or debt collectors and any other person or organisation use by the Council to collect debt with care and discretion from persons considered to be vulnerable. 	
4 - Who is responsible for the proposal you are assessing?	All Council services	
5 - Who is the Lead Officer for this assessment?	Resources Function	

Step 1: Background	
6 - Who else is involved in undertaking this assessment?	Services and partners
7 - Is the proposal related to other areas of work? For example, are there other proposals of policies that should be taken into consideration as part of this assessment?	<p>Council Plan 2017 – 2022, Well-Being Statement and Objectives, Anti-Poverty Strategy July 2018, Universal Credit Implementation Action Plan 2017.</p> <p>Set of more detailed procedural policies supporting the Policy, covering areas of income collected by the Council and protocols governing use of enforcement agents/debt collectors, tracing of absconders, use of credit agencies and protocols for use of committal, insolvency and charging orders in recovery of debt.</p> <p>The proposal also takes into account and builds upon the Council Tax Protocol for Wales “Good Practice in Collection of Council Tax”, January 2019 – Welsh Government, Welsh Local Government Association and Welsh Councils; “Taking Control of Goods: National Standards, April 2014 – The Ministry of Justice and “Our Future Approach to Consumers”, 2017 and “Our Financial Lives Survey, 2017 – Financial Conduct Authority.</p>
8 - Who would be affected by the proposal(s) (adversely or positively, directly or indirectly)?	Debtors who owe money to the Isle of Anglesey County Council

Step 1: Background			
9 - Is the proposal relevant to how the Authority complies with the public sector general duty relating to people who are protected by the Equality Act 2010?		Yes	No
The elimination of discrimination and harassment		✓	
The advancement of equality of opportunity		✓	
The fostering of good relations		✓	
The protection and promotion of human rights		✓	
Note: As a general rule, any policy that affects people is likely to be relevant across all protected groups			
Step 2: Information Gathering			
10 - Does this proposal ensure that the Welsh language is treated no less favourably than the English language, in accordance with the Council's Welsh Language Policy?	Yes. However, it should be noted that debtors who wish to make their own choices who to seek help from, which may be suited to their own specific requirements, such help in all probability, may only be through the English Language.		
11 - Is there an opportunity here to offer more opportunities for people to learn and / or use the Welsh language on a day-to-day basis?	Yes – but note comment above.		
12 – Will this area of work proactively offer services in Welsh for users?	Yes – but note comment above.		
13 – Is this proposal likely to protect and promote the Welsh language within communities?	Yes – but note comment above.		

Step 2: Information Gathering

Appendix 1 to the Impact Assessment Guidance lists a series of questions which should be considered when assessing how proposals impact on the Welsh language in general. The extent to which these questions are relevant will depend on the proposal in question. The purpose of these questions is to make you think about the wider impact or contribution and these questions could be used as a prompt when responding to questions 10 – 13 above.

However, when assessing how the Council's **main** policies and strategies impact on the Welsh language, it is recommended that these questions are considered in more detail so that comprehensive assessment is undertaken – **a separate template is available with these papers on MonITor, for you to complete, if appropriate.**

<p>14 - Are there any Human Rights issues? If so, what are they? (For example, could this proposal result in the failure to safeguard the right to privacy?)</p> <p>(The 16 basic rights are listed at Appendix 1).</p>	<p>No.</p>	
<p>15 – Does this proposal meet any of the seven national well-being goals outlined in the Well-being of Future Generations (Wales) Act 2015?</p> <p>(Discriptions of the wellbeing goals are listed at Appendix 2)</p>	<p>A prosperous Wales</p>	<p>✓</p>
	<p>A resilient Wales</p>	
	<p>A healthier Wales</p>	<p>✓</p>
	<p>A more equal Wales</p>	<p>✓</p>
	<p>A Wales of cohesive communities</p>	<p>✓</p>
	<p>A Wales of vibrant culture and thriving Welsh language</p>	
<p>16 - What has been done to date in terms of involvement and consultation with regard to this proposal?</p>	<p>This details the policy and principles in the collection of debt owed to the Council already governed by legislation and good practice protocols. The Policy takes account of comments made by services and by scrutiny.</p>	
<p>17 – Have you used any other information that is relevant to the proposal to inform your assessment? If so, please detail:</p>	<p>Review of other local authority policies and national protocols.</p>	
<p>18 - Are there any gaps in the information collected to date? If so, how will these be addressed?</p>		

Step 3: Considering the potential impact and identifying mitigating action

19 — Note below any likely impact on equality for each individual group, and identify what action could be taken to reduce or improve the impact. *For determining potential impact, please choose from the following: **Negative / Positive / No impact**

Protected group	*Potential Impact	Details of the impact	Actions to mitigate negative impact
Age	Positive	Consideration of vulnerability for some elderly people on the grounds of being frail, confused, ill and living on fixed and limited incomes. Persons under 18 years will be considered as 'vulnerable' for the purposes of the Policy.	
Disability	Positive	Consideration of vulnerability for certain disabilities that affect the ability to deal with financial affairs and protection of goods from distraint. Persons with mental impairment or learning difficulties considered as vulnerable under the Policy.	
Gender	No impact		
Gender Reassignment	No impact		
Pregnancy & Maternity	Positive	Consideration of vulnerability in the latter stages of pregnancy particularly if not supported by a partner or on low income or benefits.	
Race / Ethnicity / Nationality	No impact		
Religion or Belief	No impact		
Sexual Orientation	No impact		

Protected group	*Potential Impact	Details of the impact	Actions to mitigate negative impact
Welsh language	Positive	Compliance with Council's Welsh Language Policy, May 2016, and Welsh Language Standards, March 2016 under the Policy.	
Human Rights	Positive	Security of information and recovery of debt in accordance with legislation and no discrimination.	
Marriage or Civil Partnership	No impact		
Any other relevant issue, e.g. poverty, access to services in rural areas	Positive	Consideration of vulnerability for those living on subsistence level benefits, unable to speak Welsh or English, difficulty and writing and reading, welfare of children etc.	

Step 4: Outcome of the assessment	
20 - Note the impacts identified and how it is intended to mitigate any negative impact (i.e. a summary of the above table)	No adverse impacts identified.
21 - Is there a strategy for dealing with any unavoidable but not unlawful negative impacts that cannot be mitigated?	
22 - Describe any actions taken to maximise the opportunity to promote equality and/or the goals of the Well-being of Future Generations (Wales) Act 2015 (sustainability). (The seven well-being goals are listed in Appendix 2)	Policy

Protected group	*Potential Impact	Details of the impact	Actions to mitigate negative impact
23 – Is there a need to reconsider the proposal as a result of conducting this assessment? (Evidence of negative impact could render the proposal or decision unlawful. If you have identified negative impact, you should consider at this stage whether it is possible to proceed with the proposal).		No	
24 - Will the proposal be adopted / forwarded for approval? Who will be the decision-maker?		Scrutiny Committee to recommend approval by the Executive Committee.	
25 - Are there monitoring arrangements in place? What are they?		Management controls, along with regular performance monitoring and independent review processes, are in place to ensure compliance with the Policy, subsidiary procedural policies and protocols.	
Step 5: Action Plan			

Please detail any actions that are planned following completion of your assessment. You should include any changes that have been made to reduce or eliminate the effects of potential or actual negative impact, as well as any arrangements to collect data or to carry out further research.

Ref	Proposed actions	Lead officer	Timescale

Appendix 1 – Human Rights

Human rights are rights and freedoms that belong to all individuals, regardless of their nationality and citizenship. There are 16 basic rights in the Human Rights Act – all taken from the European Convention on Human Rights. For the purposes of the Act, they are known as ‘the Convention Rights’. They are listed below:

(Article 1 is introductory and is not incorporated into the Human Rights Act)

Article 2: The right to life

Article 3: Prohibition of torture

Article 4: Prohibition of slavery and forced labour

Article 5: Right to liberty and security

Article 6: Right to a fair trial

Article 7: No punishment without law

Article 8: Right to respect for private and family life

Article 9: Freedom of thought, conscience and religion

Article 10: Freedom of expression

Article 11: Freedom of assembly and association

Article 12: Right to marry

Article 14: Prohibition of discrimination

Article 1 of Protocol 1: Protection of property

Article 2 of Protocol 1: Right to education

Article 3 of Protocol 1: Right to free elections

Article 1 of Protocol 13: Abolition of the death penalty

Appendix 2 - Well-being of Future Generations (Wales) Act 2015

This Act is about improving the social, economic, environmental and cultural well-being of Wales. Public bodies need to make sure that when making their decisions they take into account the impact they could have on people living their lives in Wales in the future. The Act puts in place seven well-being goals:

Goal	Description of the goal
A prosperous Wales	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
A resilient Wales	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
A healthier Wales	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
A more equal Wales	A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).
A Wales of cohesive communities	Attractive, viable, safe and well-connected communities.
A Wales of vibrant culture and thriving Welsh language	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
A globally responsible Wales	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.