

# Coventry City Council

## Revenue Collection and Vulnerability Policy

Version	Author	Approved by	Date	Next Review
2.0	Barrie Strain	Advice Service Liaison Group	May 2024	May 2026
1.0	Barrie Strain	Advice Service Liaison Group	January 2022	January 2024



## Purpose

- 1 This policy outlines how Coventry City Council (hereafter referred to as ‘the Council’) will work with vulnerable and potentially vulnerable residents in the collection of council tax, business rates and other sundry fees and charges owing to the Council.
- 2 The objective of the policy is to ensure that the Council’s debt recovery practices are sensitive to the circumstances of residents who may fall into a vulnerable category.
- 3 This policy is specific to Coventry City Council. The guidelines are supplementary to the standards for potential vulnerability set out in the Taking Control of Goods national standards 2014 and the Civil Enforcement Association (CIVEA) Code of Conduct and Good Practice Guide 2011.

## What is vulnerability?

- 4 There is no universally agreed definition of what constitutes vulnerability. There are many groups of people that could be considered vulnerable.
- 5 A potentially vulnerable person could include someone who falls into one of the following categories:
  - The elderly
  - People with a disability
  - The seriously ill
  - The recently bereaved
  - Single parent families
  - Pregnant women
  - Unemployed people
  - Those with long term/prolonged incapacity
  - Those who have obvious difficulty in understanding, speaking or reading English
  - Victims of domestic violence
  - People on low incomes
- 6 This list is not exhaustive, and the Council will consider the circumstances of individual cases.
- 7 Even if someone falls within a potentially vulnerable group this does not mean that the person is vulnerable. For the purpose of this policy, a person is considered to be vulnerable if they cannot make informed decisions about their debt without independent support.



- 8 The Council uses a range of measures to collect local taxes, fees and charges. Depending on the type of debt, the Council has a range of legal options available to try and recover the debt. In the case of council tax and business rates, these options include the use of enforcement agents (formerly known as bailiffs).

### Scope

- 9 This policy applies to all debts owing to the Council including road traffic penalty charge notices.

### Process

- 10 The Council has a duty to maximise the collection of income from all sources on behalf of all tax payers. The income that the Council collects helps to provide essential services to local residents.
- 11 Being vulnerable, or potentially vulnerable, does not mean that a person cannot or should not pay amounts that fall due. But it could mean that the Council's normal recovery procedures are less appropriate for that person – that using normal recovery practices could disproportionately impact a vulnerable person compared to a person who is not vulnerable.
- 12 Vulnerability may also impact on a person's ability to understand and manage their financial situation or engage effectively to address financial issues.
- 13 Where the Council becomes aware of a potentially vulnerable customer, the Council will seek to obtain further information to confirm whether the customer falls into a vulnerable group. During this time the Council will hold any further recovery action. If the account is with an enforcement agent, the Council will instruct the enforcement agent to suspend recovery activity on the account.
- 14 Customers, or their representatives, can approach either the Council directly, or the appointed enforcement agent, to request a hold on the account whilst steps are taken to establish vulnerability.
- 15 The Council and enforcement agents will accept in good faith information provided by advice sector colleagues in support of their clients.
- 16 Recovery holds will generally be applied for a minimum of 14 days but both the Council and its appointed enforcement agents will consider the circumstances of individual cases and extend the relevant timescales where appropriate.
- 17 Where it is established that a customer is vulnerable and the account is held by the Council, the Council will determine the most appropriate course of action based on, but not limited to, the following considerations:
- Has the vulnerability contributed to the customer's financial circumstances;



- Does the vulnerability require the Council to consider alternative approaches to collecting the debt;
- Is there any further support available to the customer;
- Does the customer have the ability to pay the debt and if so at what rate and over what period (the Council will usually require the completion of a financial statement to support decision making in this respect)

18 Where it is deemed that a vulnerable person requires independent support to deal with their financial situation and the account is held by an enforcement agent, the enforcement agent will cease recovery action, remove associated fees and return the case to the Council for consideration (as in paragraph 15 above).

19 Where an identified vulnerability is deemed to be temporary, the Council and/or enforcement agent will put the case on hold for one month from the date that vulnerability has been established. After one-month further checks will be undertaken to assess whether vulnerability remains, or new vulnerability has arisen before normal recovery action resumes.

20 The role of determining vulnerability does not rest solely with one party. Enforcement agents and Council Officers receive regular training on identifying and dealing with vulnerability. The Council and enforcement agents will work with the vulnerable person and other agencies and individuals as appropriate to determine vulnerability and the impact the vulnerability has on the individual's ability to manage their financial affairs.

21 Where a customer confirms and can provide evidence that they are in the process of applying for an insolvency solution, such as a Debt Relief Order or Individual Voluntary Arrangement, the Council or enforcement agent will, at its discretion, suspend recovery action to enable the application to progress.

### **Ability to pay**

22 Where there is information to suggest that a customer has the ability to pay, the Council or enforcement agents will seek to agree a payment plan which is proportionate to the customer's financial situation regardless of vulnerable status.

23 The Council does not require a minimum payment or minimum term.

