



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE

Telephone: Ely (01353) 665555

www.eastcambs.gov.uk

Further to your information request FOI/EIR 23/24-280, please find your question and our response below.

Request:

1. In relation to your collection of council tax for the 2022/2023 council tax period please provide the total number of referrals/debts passed to enforcement agents.
2. Please confirm the name of the enforcement company used by the council for the recovery of council tax debt.
3. Please confirm if accounts which are part of the council tax reduction/support scheme are passed to enforcement companies and if so, how many such cases were passed on for the 2022/23 council tax period.
4. Please confirm if accounts of people on health/disability related benefits such as Disability Living Allowance, Employment Support Allowance and Personal Independence Payment are passed to enforcement companies and if so, how many such cases were passed on for the 2022/23 council tax period.
5. Please confirm if an assessment of vulnerability is done prior to a debt being passed to an enforcement company and if so, provide a brief description of what the assessment involves. Please also confirm how many cases of people assessed as being vulnerable or potentially vulnerable were passed on to an enforcement company for the 2022/23 council tax period.
6. Please confirm what protocols are in place between the local authority and enforcement companies regarding the approach that should be taken when someone is assessed as being vulnerable as per the assessment referred to in Q5. Please also confirm the kinds of cases which should be raised with, or referred back to, local authorities for further consideration when encountered.
7. Please confirm A) how many requests the council received to bring a council tax debt back from an enforcement agent due to vulnerability reasons during the 2022/23 period and B) How many times the council agreed to bring an account back due to vulnerability reasons during the 2022/23 period.

Response:

- 1.944 referrals over 856 accounts.
2. Currently use Bristow & Sutor, and Anglia Revenue Partnership Enforcement Agents. In 2022/23 also used Dukes.
3. Yes, CTRS cases are passed to EA's (unless specifically marked as vulnerable) but are sent separately to general cases. As depending on the circumstances, these bills tend to be quite low and EA's will need to think about how much they are likely to be able to afford in a plan. Of the 856 accounts that were referred to the bailiff, 218 of them had an entitlement to Council Tax support.
4. Yes, they are passed to EA's, unless they have been specifically marked as vulnerable. Of the 218, 40 received either Attendance Allowance, Constant Attendance Allowance, DLA (Care or Mobility), ESA, Incapacity Benefit (Short or long term), Industrial Injuries Benefit/Pension, Independence Living Fund, Mobility Supplement, PIP, Severe Disability Allowance/Pension, War Disablement Pension

or War Pensions (Mobility).

5. Please see Section 5 of joint ARP Debt Management and Recovery Policy (copied below) regarding vulnerability assessment:

5. Extenuating Circumstances

5.1 There will be occasions where the Council must look beyond the debt itself and take account of the potential impact upon the individual, family, household or business concerned, either to protect vulnerable people, to avoid the transfer of a problem elsewhere or where there may be some impact upon the local community.

5.2 Examples of this are: -

- " Vulnerable person in household (see below)*
- " Potential homelessness.*
- " The ability of the individual, household or business to make payment.*

5.3 Additional factors may apply for business debts. Examples of this are: -

- " Potential loss of employment for employees of the business*
- " Loss of key facilities for the local community*
- " A payment option is the only choice because the business has no assets*
- " Negative impact on the local community if the business was forced to close*

The list is not exhaustive. It is simply intended to reflect the type of issue that the Councils may react to when recovering or enforcing debts.

5.4 Some groups of people are particularly vulnerable and may have difficulties making payment. A person may be considered vulnerable in the following circumstances.

The list is not exhaustive and each case will be determined on its own merits:-

- " The person is elderly or frail*
- " Women in the latter stages of pregnancy*
- " The person is seriously ill or mentally or physically disabled*
- " The person has communication or learning difficulties*
- " The person has young children and there is severe deprivation*
- " The person has recently been bereaved or made unemployed*
- " The person has difficulty in understanding written or spoken English*

5.5 Falling into one of these categories does not automatically mean that recovery action is not appropriate. The Council will make individual decisions based upon the individual circumstances of the debtor to identify if recovery action is appropriate and, if so, what action to take.

5.6 A case of vulnerability may not be identified until it has been passed to our Enforcement Agents. As part of their certification process they will be specifically trained on cases of vulnerability and will work to strict guidance to decide the best way forward.

5.7 Officers making decisions on the recovery of debt will ensure that consideration has been given to issues of this nature and that any action taken is proportionate to the situation. We will consider extended payment arrangements and ensure that cases are not passed for further action where this is not appropriate.

5.8 Where decisions are made, the reasons will be documented and the individual or business concerned will be made aware of those reasons.

For cases marked as vulnerable we would try and seek other avenues for collection if available before considering EA action.

6. EA's ensure that all public facing staff, who engage with debtors, undertake training in identifying and dealing with vulnerable persons. As a rule, people identified by EA's as being vulnerable will be given extra time and assistance at compliance stage or be returned to us to considered alternative recovery if they feel recovery by Enforcement Agent is not appropriate.
See Q5 response for types of cases.

7. We do not currently record this information.

This concludes your request FOI/EIR 23/24-280.

If information has been refused, please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.