



**EAST STAFFORDSHIRE BOROUGH COUNCIL**

**REPORT COVER SHEET**

<b>Title of Report:</b>	Review of Recovery and Write Off policies	To be marked with an 'X' by Democratic Services after report has been presented
<b>Meeting of:</b>	Corporate Management Team 16 February 2021	X
	Leader and Deputy Leaders 22 February 2021	X
	Leader's / Leader of the Opposition's Advisory Group / Independent Alliance Advisory Group 3 & 4 March 2021	X
	Cabinet 15 March 2021 / Council [DATE]	
	Scrutiny Audit and Value for Money Council Services Committee [DATE] / Scrutiny Community Regeneration, Environment and Health and Well Being Committee [DATE]	



<b>Is this an Executive Decision:</b>	NO	<b>Is this a Key Decision:</b>	NO
<b>Is this in the Forward Plan:</b>	YES	<b>Is the Report Confidential:</b>  <b>If so, please state relevant paragraph from Schedule 12A LGA 1972:</b>	NO  n/a

**Essential Signatories:**

**ALL REPORTS MUST BE IN THE NAME OF A HEAD OF SERVICE**

Monitoring Officer: **Angela Wakefield**

Date ..... Signature .....

Chief Finance Officer: **Sal Khan**

Date ..... Signature .....

**EAST STAFFORDSHIRE BOROUGH COUNCIL**

**Report to Cabinet**

**Date: 15 March 2021**

**REPORT TITLE:** Review of Recovery and Write Off policies  
**PORTFOLIO:** Housing and Homelessness  
**HEAD OF SERVICE:** Sal Khan  
**CONTACT OFFICER:** Sarah Richardson      **Ext. No. x1716**  
**WARD(S) AFFECTED:** None

**1. Purpose of the Report**

- 1.1. To request approval for the Recovery and Write Off policies submitted with this report.

**2. Executive Summary**

- 2.1. To advise Members of the requirement for, and approval of, policies to support the recovery and collection of all sums due to the Council, and ultimately the write off criteria for any uncollectable debts.

**3. Background**

- 3.1. Effective Recovery and Write Off policies are required to ensure the efficient administration and recovery of Council Tax and Business Rates arrears, Housing Benefit Overpayments and Sundry Debts. It is within the 2020-21 Corporate Plan to review the current policies.

**4. Contribution to Corporate Priorities**

- 4.1. Approval of these policies will contribute to the Council's objectives of having value for money services. By ensuring that the Council has clear guidelines in place for the collection of debt and that customers are dealt within in a

transparent manner and income to the Council is maximised through efficient collection methods.

## **5. The Policies**

- 5.1. The Council has a legal duty to ensure cost effective billing, collection, and recovery of all sums due to the Council and ultimately write off uncollectable debts.
- 5.2. The Recovery and Write Off policies provide essential guidance and a framework to ensure that the process is done in a consistent, firm but fair way, which assists those having difficulty in paying whilst protecting those who do pay. The emphasis is to encourage early contact from those facing payment difficulties and to maximise take up of benefit where ever possible.
- 5.3. The Recovery and Write Off policies previously approved in 2017 have been updated to add more emphasis on supporting local residents, businesses and debtors with their payments, and include reference to the legislation surrounding the implementation of the Debt Respite Scheme (Breathing Space) legislation due to be implemented with effect from 4 May 2021. Appendix 13.1 shows a table of the proposed revisions made to the Recovery policy following the review. Table 1 below shows the proposed revisions made to the Write Offs policy following the review:

Table 1 – Proposed revisions to Write Off policy

Page number	Paragraph	Revision
2	5.1	Updated wording of Individual and Cumulative amounts to reflect the wording shown in paragraph D.2.9 of the Constitution of the Council (Part 4H: Financial Regulations)
4	1.3	Added 'Debt Relief Order'
5	3.2	New paragraph inserted.

- 5.4 The proposed revised Recovery policy is shown at appendix 13.2 and the proposed revised Write Off policy is shown at appendix 13.3.

## **6. Financial Considerations**

*This section has been approved by the following member of the Financial Management Unit: Lisa Turner, Chief Accountant.*

- 6.1. There are no direct financial implications arising from this report. Nevertheless, these policies form an important element of the overall financial framework within which the Council operates and are consistent with the Constitution.

## **7. Risk Assessment and Management**

7.1. The main risks to this Report and the Council achieving its objectives are as follows:

7.2. **Positive** (Opportunities/Benefits):

7.2.1. Debt will be pursued and written off within an approved structure which will streamline the process and enable the maximisation of income and efficient administration of debt collection.

7.3. **Negative** (Threats):

7.3.1. None

7.4. The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

## **8. Legal Considerations**

*This section has been approved by the following member of the Legal Team: Angela Wakefield, Solicitor to the Council; Monitoring Officer.*

8.1. The main legal issues arising from this Report are shown in paragraph 4 of the Recovery policy.

## **9. Equalities and Health**

9.1. **Equality impacts:** The subject of this Report is a policy, strategy, function or service that is new or being revised. An equality statement is inserted into the Recovery policy at paragraph 5.

9.2. **Health impacts:** The outcome of the health screening question does not require a full Health Impact Assessment to be completed. An equality and health impact assessment is not required.

## **10. Human Rights**

10.1. There are no Human Rights issues arising from this Report.

## **11. Sustainability (including climate change and change adaptation measures)**

11.1. Does the proposal result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures) N/A

## **12. Recommendation(s)**

12.1. That the revisions to the proposed Recovery policy as shown at Appendix 13.1 be approved.

12.2. That the revisions to the proposed Write Off policy as shown in table 1 of paragraph 5.3 be approved.

13. **Appendices**

13.1. Appendix 1: Table of revisions made to proposed Recovery policy (revised 2021).

13.2. Appendix 2: Proposed Recovery policy (revised 2021)

13.3. Appendix 3: Proposed Write Off policy (revised 2021).