

9 SEPTEMBER 2021

SERVICE DELIVERY EXECUTIVE ADVISORY BOARD

9 September 2021

- * Councillor Angela Goodwin (Chairman)
- * Councillor Ramsey Nagaty (Vice-Chairman)

- | | |
|--------------------------|-----------------------------|
| * Councillor Paul Abbey | * Councillor George Potter |
| Councillor Dennis Booth | * Councillor Jo Randall |
| * Councillor Andrew Gomm | Councillor Tony Rooth |
| * Councillor Ann McShee | * Councillor Pauline Searle |
| Councillor Bob McShee | * Councillor Fiona White |

* Present

Councillors Tim Anderson, Angela Gunning, John Redpath and Paul Spooner were also present.

SD33 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Dennis Booth and Bob McShee.

SD34 LOCAL CODE OF CONDUCT AND DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS

There were no declarations of disclosable pecuniary or non-pecuniary interests.

SD35 MINUTES

The minutes of the meeting of the Service Delivery Executive Advisory Board held on 8 July 2021 were confirmed as a correct record, and would be signed by the Chairman at the earliest opportunity.

SD36 COLLECTION OF COUNCIL TAX ARREARS GOOD PRACTICE CITIZENS ADVICE BUREAU (CAB) PROTOCOL

On 28 July 2020, the Council authorised the Director of Resources to review the Citizens' Advice Bureau (CAB) / Local Government Association (LGA) 'Revised Collection of Council Tax Arrears Good Practice Protocol' and to report back to the EAB with details as to where the Council's current approach to the collection of Council Tax arrears differed from the Protocol. This would enable the EAB to make an informed recommendation to the Executive regarding the adoption of the Protocol.

The Lead Councillor for Resources introduced a report regarding the outcome of the review which invited the EAB to recommend that the Council should not adopt the CAB / LGA Protocol and instead support the adoption of a Corporate Debt Recovery Policy.

The Revenues and Benefits Lead presented the report and highlighted various details including the statutory Council Tax recovery process and financial assistance available to people via the Local Council Tax Support (LCTS) Scheme. The Protocol was divided into three sections: Partnership Working, Information and Recovery and the report considered the detailed requirements and identified the Council's approach to each and where it differed. The report concluded that the Council had a good working relationship with the local advice agencies addressing issues as and when they arose and that documentation and information available to the public via the Council's telephone line and website were

9 SEPTEMBER 2021

reviewed regularly. Debtors were signposted to advice agencies through all channels and cases were passed to enforcement agents only when other avenues had failed.

The EAB was advised that the review of the Protocol had found that the related benefits did not outweigh the cost of compliance, given that the Council already met the overarching aims of the Protocol. Although the adoption of a Corporate Debt Recovery Policy would not render the Council compliant with the Protocol, it would enhance the information available to Council Tax payers.

In addition to the report, the EAB received a Summary of LCTS Statistics as at 1 May 2021 for background information. The Summary provided the numbers of live cases by Council Tax property band and by receipt of different percentages of LCTS reduction, the spread of working age claims across the Borough, the reasons for nil awards, working age household types and working age percentage of Council Tax reduction.

The following points for forwarding to the Executive arose from related questions, comments and discussion:

1. In response to a question concerning the reason for 251 out of the 314 billing authorities not adopting the Protocol, it was felt that approaching the 251 councils to ascertain their reason for non-adoption would present a considerable amount of work with an anticipated low response rate. An alternative of making enquiries of a selection of peer local authorities in Surrey and nearby counties was suggested to obtain their reasons for adoption or otherwise. The Council was not under pressure from local advice agencies to adopt the Protocol.
2. Ash and Guildford CABs had been approached by officers during summer 2020 and neither had expressed any concern that the Council had not signed up to the Protocol and indicated that they were content with the current arrangements.
3. It was acknowledged that the Council's Revenues and Benefits Team provided an exceptionally good service based on a robust system.
4. Some favour was expressed regarding the adoption of the Protocol as it was written by the CAB in conjunction with the LGA which endorsed it as an example of best practice. Also, the Protocol offered an external standard against which local performance could be measured. The views of local relevant bodies in respect of the Protocol were welcomed.
5. Consideration should be given to adopting any elements within the Protocol which would enhance and reinforce the current system if the associated costs were acceptable.
6. It was important for the Council to liaise with, and signpost customers to, advocacy services which acted on behalf of residents and may lessen the Council's workload whilst preventing situations escalating to the point that enforcement agents became involved. The Government had introduced two 'breathing space' initiatives, one of which related to mental health issues, and had issued further guidance regarding best practice for the collection of Council Tax. The Government was continuing to review the issue of public debts, including Council Tax.
7. As language could be a barrier, it was suggested that liaison with the Communications and Website Teams should be pursued in relation to correspondence or web material associated with Council Tax debt. An easy read version of related documentation was welcomed.
8. The loss of the right to pay Council Tax by instalments where a tax-payer had failed to pay an outstanding instalment within seven days of the issue of the reminder notice was a statutory recovery process. Although alternative local arrangements could be introduced, this would require implementing a different set of recovery procedures covering every stage of the process undefined by statute. The introduction of a

9 SEPTEMBER 2021

scheme outside the statutory parameters would incur an additional staffing resource requirement for which there was no capacity.

9. Officers would provide an estimate of the additional costs which would be incurred in the event that the Protocol was adopted.
10. Councillor Paul Abbey's offer to meet officers outside the meeting to share ideas around possible debt recovery initiatives was welcomed.
11. Waverley Borough Council had not adopted the Protocol. In the event that the proposed council merger plans considered Council Tax debts in the future, the issues should be revisited to ensure consistency and best practice. Joint adoption of the Protocol would be an option to ensure this.

The following three options emerged from the debate and were discussed by the EAB:

- (i) To support the report recommendation to not adopt the CAB protocol.
- (ii) To not adopt the CAB Protocol at present, pending consideration of the implications of the related cost and possible future joint working with Waverley Borough Council to ensure consistency and best practice.
- (iii) To adopt the CAB Protocol in its entirety.

Having considered the above options, the EAB agreed to recommend option (ii) to the Executive that the Protocol be not adopted at present pending a future review in the light of the cost implications associated with adopting the Protocol and any impact relating to proposed future working with Waverley Borough Council.

SD37 POLICY ON DEBT RECOVERY

A draft Corporate Debt Recovery Policy and covering report were before the EAB for consideration. The Lead Councillor for Resources introduced the report which invited the EAB to provide feedback in respect of the draft Policy and the proposed recommendation to the Executive that the Council should adopt such a policy.

The Policy was clear and concise seeking to deliver the following benefits:

- Ensure a consistent approach across the Council and establish a way forward for customers with multiple debts.
- Offer clarity for customers setting out what action and support they can expect from the Council together with the Council's expectations of debtors in line with the Future Guildford model of self service.
- Provide a useful reference document for officers when collecting debts.

Officers had been asked to develop a Corporate Debt Recovery Policy prior to the Covid-19 pandemic owing to the perception that there was a conflict between the collection of Council Tax and Council rents, specifically where a debtor was in arrears for both. Although the related investigation found no evidence of such a conflict, it involved officers reviewing some publicly available debt recovery policies of other councils and resulted in the preparation of this Council's draft Policy.

The following feedback points arose from related questions, comments and discussion:

1. The draft Policy was welcomed as a succinct, beneficial and admirable policy document.
2. An easy read version of the Policy should be produced to increase accessibility and use and a less formal introduction section within the Policy be written for publication purposes.

SERVICE DELIVERY EXECUTIVE ADVISORY BOARD

9 SEPTEMBER 2021

3. With the involvement of Councillors Jo Randall and Ramsey Nagaty as required, the wording of the draft Policy and covering report should be reviewed in relation to the references to the responsibilities of individuals with multiple debts and adding context to the statistics in paragraph 4.4 of the report.
4. Work with the Communications and Website Teams should be pursued to reinforce the message to residents that the Council sought to support debtors in a holistic manner with a view to assisting them to become debt free.
5. The Council's website could direct people with debts to the numerous supporting organisations that were able to offer related advice and assistance.
6. Although there were no indications that 'loan sharks' were an issue in the Borough, related information and signposting to sources of support and advice could be added to the Council's website to assist anyone encountering them.
7. Council assistance involved working with debtors to identify the reason for their debts with reference to their income and expenditure and advising them in respect of the recognition of priority debts such as the need to sustain their tenancies. This support led to high Council Tax and rent collection rates and low levels of evictions.

Further to the recommendation in the report, the EAB agreed that the above points formulated its feedback in respect of the draft Policy and that the recommendation to the Executive that the Council should adopt such a policy be supported.

SD38 EXECUTIVE FORWARD PLAN

The Executive Forward Plan was noted without comment.

SD39 EAB WORK PROGRAMME

Members was advised that the Vice-Chairman, Councillor Ramsey Nagaty, would chair the next meeting of the Executive Advisory Board, to be held on 4 November 2021, in the Chairman's absence. Although the work programme indicated that the agenda in respect of the next meeting would contain a significant amount of business, it was anticipated that some of the items would be re-scheduled. Reference was made to the Art Collection item listed in the unscheduled section of the work programme and an update was sought.

The meeting finished at 8.40 pm

Signed

Chairman

Date