

CITY OF
WOLVERHAMPTON
COUNCIL

Our Council Scrutiny Panel

12 June 2019

Time 6.00 pm **Public Meeting?** YES **Type of meeting** Scrutiny

Venue Committee Room 3 - Civic Centre

Membership

Chair Cllr Paula Brookfield (Lab)

Vice-chair Cllr Jane Stevenson (Con)

Labour

Cllr Alan Bolshaw
Cllr Caroline Siarkiewicz
Cllr Payal Bedi-Chadha
Cllr Milkinderpal Jaspal
Cllr Susan Roberts MBE
Cllr Paul John Birch J.P
Cllr Roger Lawrence
Cllr Hazel Malcolm

Conservative

Cllr Simon Bennett

Quorum for this meeting is three Councillors.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact Earl Piggott-Smith

Tel/Email earl.piggott-smith@wolverhampton.gov.uk /01902 551251

Address Democratic Services, Civic Centre, 1st floor, St Peter's Square,
Wolverhampton WV1 1RL

Copies of other agendas and reports are available from:

Website <http://wolverhampton.moderngov.co.uk/>

Email democratic.services@wolverhampton.gov.uk

Tel 01902 555046

Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

If you are reading these papers on an electronic device you have saved the Council £11.33 and helped reduce the Council's carbon footprint.

Agenda

Part 1 – items open to the press and public

Item No. *Title*

PART 1 - MEETING BUSINESS ITEMS

- 1 **Apologies**
- 2 **Declarations of interest**
- 3 **Minutes of previous meeting (10 April 2019)** (Pages 5 - 10)
[To approve the minutes of the previous meeting as a correct record]
- 4 **Matters arising**
[To consider any matters arising from the minutes]

DISCUSSION ITEMS

- 5 **Enforcement Agents Council Tax** (Pages 11 - 28)
[Tracey Richards, Recovery Manager, to present report]

Witness: Helen Child, Chief Officer, Citizens Advice Wolverhampton
- 6 **Our Council Scrutiny Panel draft work programme 2019 - 20** (Pages 29 - 30)
[Julia Cleary, Scrutiny and Systems Manager, to present report]

INFORMATION

- 7 **Customer Services Update** (Pages 31 - 34)
[Lisa Taylor, Head of Service Improvement (Customer Services), update paper - for information]
- 8 **Exclusion of press and public**

[To pass the following resolution:
That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information on the grounds shown below.]

Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)
- 9 **PART 2 - EXEMPT ITEMS, CLOSED TO PRESS AND PUBLIC**
- 10 **Outturn report on 2018-19 Disposal Programme** (Pages 35 - 40)
[Julia Nock, Head of Assets, to present update report.]

Attendance

Members of the Confident, Capable Council Scrutiny Panel

Cllr Alan Bolshaw
Cllr Caroline Siarkiewicz
Cllr Payal Bedi-Chadha
Cllr Dr Michael Hardacre
Cllr Ian Brookfield
Cllr Milkinderpal Jaspal
Cllr Peter O'Neill
Cllr Jane Stevenson (Vice-Chair, in the Chair)
Cllr Susan Roberts MBE

Employees

Earl Piggott-Smith	Scrutiny Officer
Alison Shannon	Chief Accountant
Lisa Taylor	Head of Service Improvement
Claire Nye	Director of Finance
Gail Rider	Head of ICT

Part 1 – items open to the press and public

Item No. *Title*

1 **Apologies**

Apologies were received from the following:

Cllr Jacqueline Sweetman

2 **Declarations of interest**

There were no declarations recorded.

3 **Minutes of previous meeting**

That the minutes of the meeting held on 28 November 2018 were approved as a correct record, and signed by the Chair.

4 **Matters arising**

6 **Universal Credit Update**

Scrutiny Officer advised that in response to a request for further information on the Law Student Representation Project about support given to residents a briefing paper on the scheme was shared with members.

Scrutiny Officer briefed the panel on outcome of discussion with Helen Winfield, Head of Community Support, and Darren Baggs, Assistant Director, Wolverhampton Homes, in response to concerns about mitigating the effect of reduced income for tenants in receipt of Universal Credit.

7 Customer Services Journey

Members of the panel met on 28 January 2019 for a presentation by Head of Customer Services to respond to the concerns raised by Councillors about the performance of the service and the next steps in the process to deliver improved customer services to the public. The minutes of the meeting are on agenda for discussion.

5 Treasury Management

Alison Shannon, Chief Accountant, presented the Treasury Management Strategy and Activity Monitoring Q3 2018-19 for information and comment. The Chief Accountant advised the panel that there has been no change in the risk appetite approach adopted by the Council.

The Chief Accountant outlined the key parts of the report and commented that there are no immediate concerns about the Council's investment but that there is a general apprehension about future investment trends due increased level of economic uncertainty due to Brexit.

The panel queried the Annual Minimum Revenue Provision statement (Appendix 4) and the implications of the change in method of calculation detailed in national guidance which states that the new maximum period of useful economic life should be reduced from 99 years to 50 years. The Director of Finance advised the panel of the implications for the Council.

The panel discussed the training needs for Councillors on the topic of treasury management and whether it should be offered to all Councillors.

The panel noted that specific training was being arranged by Member Development to recognise the responsibility on the panel to scrutinise the treasury management strategy document. The panel were advised that general finance training is included as part of the induction training being developed for Councillors.

The panel suggested that consideration should be given to offering ongoing specific training on treasury management to members of the panel to help meet their responsibilities. The panel receive quarterly treasury monitoring reports and have a responsibility to reassure itself that information presented has been properly scrutinised.

The Chair circulated a questionnaire prepared by Cipfa which provides a baseline measure to assess knowledge levels and to identify training and information needs. Claire Nye, Director of Finance, added that feedback from the panel on the budget information and finance training would be helpful in planning the content of future sessions. The panel were invited to share any specific information or concerns that they have which could be helpful in developing the content. The panel discussed if finance training should be mandatory for all Councillors.

The panel discussed the consideration given to the possible outcome of the Brexit negotiations. The panel discussed the volatility in the financial markets and requested that this issue is referred to a future meeting for further consideration. In particular, the impact of different Brexit scenarios on future interest rates changes.

The Director of Finance confirmed that there are ongoing discussions with the Council's financial advisers.

Resolved:

1. The panel agreed to note the report.
2. The panel comments on specific financial training and support to be considered and reported back to a future meeting of the panel.

6 **Strategic Asset Management Strategy - Draft Minutes - 23.1.19**

That the minutes of the meeting held on 23 January 2019 were approved as a correct record, and signed by the Chair.

7 **Customer Services Journey - Draft Minutes - 28.1.19**

That the minutes of the meeting held on 28 November 2018 were approved as a correct record, and signed by the Chair.

8 **Customer Services Journey - Update**

Lisa Taylor, Head of Customer Services, gave an update on a presentation on the performance of the customer services given to the panel on 28 January 2019.

The Head of Customer Services outlined the changes in performance of the service, comparing the period March 2018 to March 2019. The Head of Customer Services commented on the reasons for the increase in demand and the impact of changes to garden waste collection service.

The Head of Customer Services commented on the new approach taken to respond to high demand activities and the benefits arising from changes such as the reorganisation of customer services, and regular performance reports given to affected services. The Head of Customer Services commented on the work done to build positive working relationships with service areas as part of a new approach to respond to high demand activities.

The Head of Customer Services commented on the range of current and future work being done improve current performance. The panel queried the plans to reassign customer services officers by primary skills sets. The Head of Customer Services advised the panel of plans to introduce a resolution team to deal with more complex calls in order to provide an improved service and reduce caller waiting times.

The panel queried the data on the call abandonment rate and whether there was a system similar to that used by private sector companies to advise a caller where they are in the waiting lists of people to be answered. The Head of Customer Services advised the panel that on average calls are typically abandoned after a 10-minute wait. The Head of Customer Services advised the panel that the current technology does not offer the option for a person to either be told how many people are already waiting in the queue to be answered or the option of them being called back when

they reach their number in the waiting list. The Head of Service is reviewing different customer service telephone systems in operation to see how the current system could be improved. The panel discussed the different type of calls received by the Council and different ideas for reducing the current waiting times.

The Head of Customer Services commented on the challenges facing the Council and the different levels of resourcing available compared to that available in the private sector reflecting their aim of wanting to improve their competitive edge and offer customers a better service.

The panel discussed the decision to cancel the call back system due to the problems caused.

The Head of Customer Services advised the panel that turnover rates have been low among customer services officers. A range of work is being done to improve working conditions and support customer services officers, by reviewing skill mix and identifying knowledge gaps. The Head of Customer Services advised the panel that in response to a peak in demand extra temporary staff can be recruited at short notice.

The panel discussed the important role that customer service officers have in representing the face of the Council in their contacts with the public and there is need to consider the level of funding needed to deliver a service that panel members want to see.

The panel discussed the level of staffing and the work done to provide extra resources to respond to expected spikes in customer demand and identify periods of peak activity.

The panel welcomed the report and the progress made.

Resolved:

The panel agreed to note the report.

9

Exclusion of press and public

[To pass the following resolution: That in accordance with Section 100A (4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information on the grounds shown below.]

Decision:

That in accordance with Section 100A (4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

Resolved: The Panel approved the resolution.

10

Digital Print Progress Report

Gail Rider, Head of ICT, presented a report on progress made on the following actions below agreed by the panel at the meeting 28 November 2018.

- The competitiveness of the in-house printing service provision, versus external print providers
- A review of print jobs being procured by council staff outside of the internal service provision
- The current position of the refurbishment of the DPS kitchen area

The panel discussed the report and supported the recommendations for future action.

Resolved:

The panel welcome the proposals and agreed to receive a further report from the Head of ICT on progress to meeting in October 2019.

This page is intentionally left blank

Our Council Scrutiny Panel

12 June 2019

Report title	Collection of Council Tax	
Cabinet member with lead responsibility	Councillor Louise Miles Resources	
Wards affected	All	
Accountable director	Claire Nye, Director of Finance	
Originating service	Revenues and Benefits	
Accountable employee(s)	Tracey Richards	Recovery Manager
	Tel	01902 552493
	Email	Tracey.Richards@wolverhampton.gov.uk
Report to be/has been considered by	Finance Leadership Team	Circulated by email 23/5/2019

Recommendation(s) for action or decision:

The Scrutiny Panel is recommended to:

1. Scrutinise the arrangements included in the Collection and Debt Strategy for council tax arrears, suggest changes, where appropriate, to ensure that the collection policy is fair and effective.
2. Agree to a further meeting with the enforcement agents contracted to collect council tax on behalf of the council to discuss their work.

1.0 Purpose

- 1.1 This report provides an overview of the collection process for council tax in accordance with the collection and debt strategy, highlighting current initiatives.
- 1.2 The report also describes use of enforcement agents in the collection process, to assist Councillors develop lines of enquiry for a further meeting to be arranged.

2.0 Background

- 2.1 The Council has a statutory duty to collect council tax when it is due, undertaking recovery action for arrears and enforcing debts. (Flowchart **Appendix 1**)
- 2.2 The Collection and Debt Strategy, as approved by Cabinet (Resources) Panel 28 March 2017, sets out the policy objectives in the approach of collecting council tax.
- 2.3 Council tax is required to be paid within the financial year that it is due. Options to pay by instalments are available for customers by weekly, fortnightly, monthly, half yearly and annually throughout the financial year. People who are having difficulty paying their council tax are encouraged to make early contact to discuss the matter so that they may be helped, wherever possible.
- 2.4 **Appendix 2** provides an overview of the council tax collection rates and comparison with Chartered Institute of Public Finance and Accountancy (CIPFA) nearest neighbours.
- 2.5 Council tax income in 2018-2019 accounted for 25%, approximately £97million, of the overall income received by City of Wolverhampton Council (CWC) excluding Housing Benefit administration and school grants.
- 2.6 Since the introduction of Council Tax Support (CTS), which replaced Council Tax Benefit in April 2013, working age residents who are in receipt of a low income are required to pay a minimum amount of council tax, which can be a financial burden. During 2018-2019 the collection level for working age households was 73.71% compared to 95.01% for all non-CTS. The level of arrears for these residents is escalating each year, with £20 million council tax owing as at 31 March 2019 across all residents.
- 2.7 Further work is being considered, at a corporate level, to understand the impact of the changes to CTS alongside the other welfare reforms on households in Wolverhampton. It is recognised that households who have never paid council tax are struggling the most and that providing a reduction in council tax through an award of CTS is supportive to households.
- 2.8 Ensuring that the request for payment is correct is a key part of the support given, through the training, information and advice given to employees, who will check that any reductions applicable are applied and help the customer to resolve any concerns. When negotiating payments of amounts due, employees have a good understanding of the financial burden of council tax on households.

- 2.9 The Council aims to achieve a fair balance when negotiating payments, ensuring that the customer is able to maintain an acceptable standard of living. However, if the Council considers that there is affordability and/or reluctance to pay the debt due then firm enforcement action will be taken.
- 2.10 One method of collecting amounts owing is through a deduction from earnings or benefits. However, council tax legislation dictates that a liability order is required to enable a direct deduction from earnings or benefits. As at 31 March 2019, of 17,683 customers who have an outstanding debt, 40% have more than one liability order balance owing.

What have we been doing?

- 2.11 CWC was the first council to recognise the disparity between the level of costs incurred in obtaining a liability order and the value of the debt. As a result, we have been recovering a lower level of fee from the debtor based on the amount owing for many years, absorbing the additional costs within council revenue budgets. The lower level is associated to the amount that a council tax band A property would have to pay if in receipt of maximum council tax reduction; being £270 a year.
- 2.12 System enhancements were introduced in 2017 so that there is an automatic check of records held within council tax and benefits for an indication that the taxpayer is either in employment or in receipt of benefits, to enable a direct attachment of deductions, to avoid further costs being incurred through use of enforcement agents.
- 2.13 Supportive Council Tax Recovery, Money Advice Service, was published in December 2018, as guidance for local authorities to work in collaboration with debt advice agencies, outlining "Supportive Revenues Collection Standards". A meeting was held with Money Advice Service following its publication to identify the approach that is used by CWC and to consider aspects of good practice recommended in the report.
- 2.14 CWC was the first council in the country to sign the Citizens Advice (CA) in the revised Collection of Council Tax Arrears Good Practice Protocol. This is a commitment to work closely with enforcement agencies and debt advice agencies to support vulnerable households and those in financial difficulties.
- 2.15 Regular liaison meetings take place with CA to discuss any concerns and to identify local practice. CA have provided training to recovery staff on their approach to negotiating repayment.
- 2.16 The CA in Wolverhampton work with the Recovery Team to support vulnerable residents in several ways:
- agreeing repayments;
 - identifying when a new claim has been made for Universal Credit so that a locally agreed hold can be implemented; and

- by attending liability order hearings to offer their services, which has identified new customers whom they have found provide greater engagement than generally.
- 2.17 A review of recovery notices was undertaken in 2017, in conjunction with Citizens Advice, which introduced nudge techniques to:
- encourage council taxpayers to make payments of amounts due;
 - contact the council if unable to pay; and
 - seek independent advice if in financial difficulties.
- 2.18 The Recovery Manager is reviewing the way CWC communicates with customers regarding council tax, recognising that customer behaviour is changing and reacts to different forms of contact. Some authorities have reported an increase in customer engagement using texting, emailing and automated voice messages, which is being considered initially as a pilot.
- 2.19 CWC is one of 29 local authorities undertaking a pilot where council tax data is matched with Her Majesty's Revenues and Customs (HMRC) to identify employment and latest address information. This will enable an attachment of deductions direct from their earnings where vulnerability is not identified. The pilot is for 4,000 accounts which have a combined arrears value of £8.5 million.

3.0 Enforcement Action

- 3.1 A new contract was agreed for the use of enforcement agents for the collection of council tax, in December 2018. Three agents were appointed: Bristow & Sutor, Rundles and Newlyns. Quarterly review meetings are held to ensure that each of these companies work in accordance with legislation, national guidance and the Enforcement and Collection Agent Code of Conduct (**Appendix 3**).
- 3.2 Ultimately, where the customer does not engage or maintain their arrangement to pay council tax with the council, enforcement agents are used.
- 3.3 A pre-compliance notice is issued which provides the customer a further opportunity to pay and/or engage before statutory fees are incurred.
- 3.4 Where any cases are identified by either the Council or the enforcement company as potentially vulnerable, these are notified immediately and handled through dedicated Welfare Teams, who will assess the individual circumstances; cease action, refer to the Council, or advise the customer to seek assistance, where necessary. Home visits can be arranged, without enforcement fees.
- 3.5 A parliamentary review of Bailiffs: Enforcement of Debt page 11 reviewed the number of complaints reported by debt advice charities compared to those by enforcement agencies, industry associations and others. There is understanding of the reason for the concerns that were raised, which were in respect of non-council tax debts. The use of enforcement is closely monitored, by analysis of complaints received, to ensure that they maintain a professional and compliant approach.

- 3.6 The table shows the action taken against council tax accounts which were in arrears, and the levels of complaints CWC received regarding enforcement action:

Council Tax – action relevant to in-year	2017-2018	2018-2019
Number of Liability Orders Obtained	17,291	17,466
Number of repayment plans arranged	7,779	8,161
Number of Deductions from Benefits	2,695	2,557
Number of Accounts with Attachment of Earnings Orders	3,695	4,079
Number of Cases referred to enforcement agents	8,290	6,285
Number complaints received regarding enforcement action	18	18
Number complaints well founded for enforcement action	1	2

- 3.7 An ethical debt approach is being trialled at a London authority, where a private limited company is commissioned to engage and negotiate repayment with the customer before a summons is issued. This avoids additional costs for the customer, where they engage and make payments at this stage; however, there will be a cost to the council and a delay in subsequent action being taken when this option is not successful. We will continue to watch and learn from their experiences and fully understand the costs to the taxpayer of providing this service.

- 3.8 When all other options have been exhausted, the following actions will be considered on an individual basis and will only be used when we feel that the proposed remedy is a fair and proportionate action bearing in mind the individual circumstances of the case:

- 1) An application to have the customer declared bankrupt or for other forms of insolvency;
- 2) An application to register a charge against a property or to apply for the sale of a property against which a charge is registered;
- 3) An application to have the customer committed to prison.

- 3.9 Whilst we will make every effort to pursue outstanding debts, it is recognised that in some circumstances some amounts are not recoverable. Good practice dictates that where they are irrecoverable, prompt and regular write-off should be undertaken. This will be undertaken in accordance with the Council Constitution Financial Procedure rules and the approach to bad debt write offs.

4.0 Scrutiny to consider

- 4.1 To scrutinise the collection of council tax process and the format that the review should take.

5.0 Financial implications

- 5.1. Council tax income in 2018-2019 accounted for 25%, approximately £97 million, of the overall income received by the Council excluding Housing Benefit administration and school grants. Given the financial challenge facing the Council it is essential for collection

performance to be at the highest possible rate. The approach taken is designed to maximise the efficiency and effectiveness of the collection process.

- 5.2 As at 31 March 2019, approximately £20 million council tax arrears were owing within the Wolverhampton area. An analysis of debt overdue is undertaken each financial year, with provision made for debts where there is a level of uncertainty around the timing and value of settlement, which is reflected in the Council's annual Statement of Accounts. Any recovery against these debts results in a reduction in the corporate bad debt provision.
[MH/31052019/Y]

6.0 Legal implications

- 6.1. The Council has a duty to look after the public purse and therefore recover debts owed to the Council and Central Government.
- 6.2. The Council however also has a safeguarding duty and both need to be balanced when recovering Council Tax owed.
- 6.3. Legal recourse will be undertaken in accordance with the Local Government Finance Act 1992 and other relevant pieces of legislation.
[LW/03062019/M]

7.0 Equalities implications

- 7.1. There are no equalities implications at this stage however development of new or revised policies for collection, enforcement and write-off will be subject to equality analysis.

8.0 Environmental implications

- 8.1 None.

9.0 Human resources implications

- 9.1 None.

10.0 Corporate landlord implications

- 10.1 None.

11.0 Schedule of background papers

- 11.1 [Collection and Debt Strategy, Cabinet Resources Panel 28 March 2017](#)
- 11.2 [Supportive Council Tax Recovery, Monday Advice Service December 2018](#)
- 11.3 [Citizen Advice Council Tax Good Practice Protocol June 2017](#)

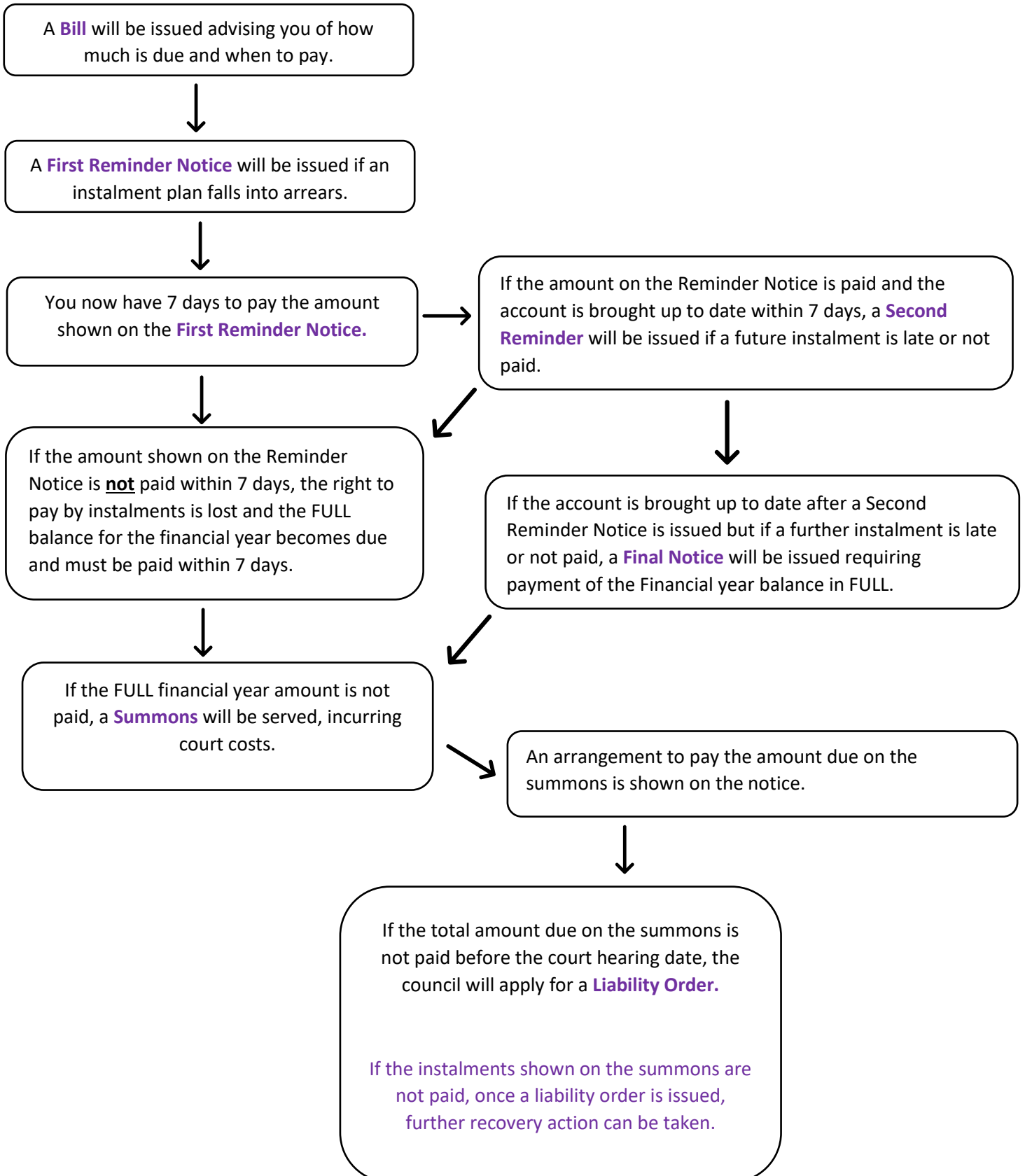
11.3 [Bailiffs: Enforcement of debt, House of Commons Justice Committee 2 April 2019](#)

Appendix 2

Collection rates							
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019
In year collection %	96.50	95.60	95.00	94.40	93.83	94.02	94.14
Collection % at 31-01-19	99.43	99.10	98.67	97.93	97.15	96.26	84.63
Collection % accounts without CTR		99.24	98.89	98.39	97.86	97.11	95.01
Collection % accounts with CTR		97.10	95.44	91.96	87.32	83.64	81.53
maximum CTR % working age	100	90.5	88	78	78	78	73.71

Comparison with CIPFA near neighbours	In year collection % 2016-2017	In year collection % 2017-2018	% of debit covered by CTR	Maximum potential award of CTR Scheme
Sandwell	98.2	98.5	20.57	Up to 100%
Sunderland	95.8	95.9	18.47	Up to 91.5%
Stoke-on-Trent	95.5	95.7	12.99	70% or 100% if protected
Bolton	95.9	95.3	14.46	Up to 87.5%
Knowsley	95.3	95.3	20.75	Up to 80%
Doncaster	94.6	94.8	13.56	Up to 100%
Rochdale	94.5	94.8	15.03	Up to 85% of band A
Halton	95.0	94.6	13.73	Up to 78%
Oldham	94.6	94.5	14.87	Up to 85% of band A
Walsall	94.6	94.4	15.21	70% or 75% if protected
Derby	94.1	94.1	10.38	Up to 70% of band A
Wolverhampton	93.9	94.0	15.33	78% or 88% if protected
Kingston upon Hull	93.8	93.7	18.05	Up to 80%
Tameside	93.7	93.4	12.00	Up to 80% of band B
Middlesbrough	92.5	92.8	20.86	Up to 85%
Salford	90.9	90.0	15.19	Up to 85%

How do we collect Council Tax and what notices do we issue?



This page is intentionally left blank



Enforcement & Collection Agent Code of Conduct

2018

1. Introduction

Terms included in this Code of Conduct and what they mean:

- 1.1 Company means the company appointed to undertake collection of Council Tax, Non-Domestic Rates, County Court and High Court judgements, secured and unsecured Sundry Debts and Housing Benefit Overpayments.
- 1.2 The Agent is the individual undertaking the function of taking control of goods for secured debts and seeking settlement of unsecured debts. In this instance the individual will be an employee of the company for the purposes of collecting the above debts.
- 1.3 The Group refers to the group of authorities named below.
- 1.4 The Authority is one of the authorities named below.
- 1.5 Taking control of goods is the taking of a debtor's goods by the Agent for sale.
- 1.6 Authorised Officer is an officer of the Council with the authority to act on behalf of that Council.
- 1.7 This code is on behalf of:
 - Dudley Metropolitan Borough Council;
 - Sandwell Metropolitan Borough Council;
 - South Staffordshire Council and
 - City of Wolverhampton Council.

It applies to the collection of Council Tax and Business Rates, County Court and High Court judgements, secured and unsecured Sundry Debts and Housing Benefit Overpayments.

- 1.8 Variations to the code may be made from time to time by the Group or by agreement, following a request from the contracted Enforcement Agent Company.
- 1.9 The contracted Enforcement Agent Company appointed by the Group shall act in accordance with this Code of Conduct. The code must be adhered to at all times unless in an individual case the prior permission of the individual authority is obtained to take alternative action.
- 1.10 In addition to the specific requirements of the Group set out in this document, the contracted Enforcement Agent Company should work within the requirements of the relevant legislation and also be mindful of the National Standards for Enforcement Agents published by the Ministry of Justice.

2. Enforcement Agent Company Guidelines

- 2.1 The Agent will at all times act in accordance with current legislation, such as Local Government Finance Acts 1988 and 1992; Tribunals, Courts and Enforcement Act 2007 and subsequent Orders, including the Taking Control of Goods Regulations, as well as

- standards and procedures set down by the authorities and also with this Code of Conduct.
- 2.2 The Agent will at all times comply with the law as interpreted by the relevant authorities. Any doubt over interpretation of the law shall be referred to the relevant Authority.
 - 2.3 The Agent must act in accordance with the Race Relations Act 1976, the Sex Discrimination Act 1986, the Equalities Act 2010, and the Child Poverty Act 2010 and should also comply with the requirements of the Data Protection Act 1998 and General Data Protection Regulations (GDPR). The Agents must comply with the provisions of all such Acts in the executions of their duties.
 - 2.4 The Company will, at all times, perform their responsibilities under the Contract in accordance with the Acts and Regulations governing their activities and this Code of Conduct (which may be revised from time to time).
 - 2.5 The Agent will ensure that taking control of goods is undertaken in a humane, fair and consistent manner and in accordance with the authorities' requirements. If there is any doubt regarding the action to be taken in a case it should be reported to the Authorised Officer for the relevant Authority.
 - 2.6 The Company will provide a variety of payment methods for which be no additional costs will be incurred. Where payment is made in cash the Agent will issue an official receipt. They will also issue a receipt for other payments if requested to do so by the debtor. No charge should be made to the debtor for issuing a receipt.
 - 2.7 The Company must ensure that adequate and effective training is undertaken so that agents and other employees have an appropriate understanding of relevant legislation, case law and powers to allow them to carry out their duties.
 - 2.8 Where an Agent's action is deemed to be in question, the relevant Authority will require the Agent's justification of the action within the legislative framework and this Code of Conduct. The Agent must respond to requests in such cases in writing within 5 working days.
 - 2.9 An Authority may specifically instruct the Agent to cease a particular course of action where legality of the action is in doubt or in any case, as the relevant authority deem necessary. The Agent must comply with such an instruction.
 - 2.10 Any legal action taken against any Authority as a result of the Company and or Agent's failure to act in accordance with the law or this contract, if proven, will constitute a fundamental breach of the contract.
 - 2.11 In the event of legal action being taken against an Authority as a result of the Company or the Agent's actions, where the Authority incurs costs in defending or resolving the issue, the Company will reimburse the Authority in full for all costs incurred.

3. Enforcement Agent Professional Standards

- 3.1 The Agent will carry full and proper photographic identification, issued and authorised by the Company, and when attending a debtor's property will produce such at the outset without being asked. Such identification will also be shown to any other person who has reason to require it.
- 3.2 The Agent will also carry written authority from the relevant Authority and the Company to act on their behalf and if requested to do so, will show that to the debtor and to any other person who has reason to make that request. The Agent must hold a certificate granted by the County Court authorising them to take control of goods.
- 3.3 The Agent must introduce themselves to the debtor/s and state that they are acting on behalf of the relevant Authority.
- 3.4 Agents will be equipped with industry standard body cameras which will be activated when engaging with debtors. Video footage will be made available to the Authority upon request.
- 3.5 The Agent will take no action if it appears that no responsible adult is present at the address of the debtor. The Agent will make sure that when discussing details of debts, they are dealing with the debtor or someone else who is assisting the debtor at the debtor's request, e.g. a person under 18 acting as interpreter.
- 3.6 The name of the Agent who visited the debtor's property must be shown on any documents left with the debtor or at the property.
- 3.7 The Agent will be dressed smartly, be courteous and polite in all circumstances and have a professional approach to their work. The nature of the work demands that a firm but fair attitude should be adopted with debtors and other people they contact in the course of their duties.
- 3.8 The Agent will follow procedures in confidence and leave letters or documents in sealed envelopes for the debtor. Documents left with debtor/s or at the debtor's property must be on pre-printed stationery and comply with plain English standards.
- 3.9 The Group must approve all initial documentation used by the Company in relation to this contract. The relevant Authority must approve all subsequent amendments.
- 3.10 Any physical assaults, serious verbal threats or other matters of concern should be reported to the Appropriate Officer for the relevant Authority. If necessary any serious risks of a breach of the peace should be reported to the police. A means of communication with the Authority will be provided during normal office hours.
- 3.11 The Agent will be available by mobile phone during working hours and have appropriate messages on voicemail for customers. The Agent will not call before 6am or after 9pm unless instructed otherwise or the hours of business of a commercial organisation make this impractical (e.g. nightclub).

4. Working Practices

4.1 The Agent will recover fees, costs and disbursements which are specified in the Taking Control of Goods (Fees) Regulations 2014, or as amended. The Agent will follow the required stages under the Taking Control of Goods Regulations:

a) Compliance Stage

- i) Following the input of the case onto the Agent's computer system a "Notice of Enforcement" must be sent to the debtor by post or electronically no later than the next working day.
- ii) The Agent should seek immediate and full payment of the debt. Where this is not possible a suitable payment arrangement should be made with the debtor.
- iii) The Agent must seek to obtain details of the debtor's employer, financial circumstances and any other relevant information when negotiating a payment arrangement. If it is established that the debtor is currently in receipt of a national benefit, they must attempt to obtain as much information as possible including the debtor's National Insurance number and date of birth. The Agent must supply the details obtained to the relevant Authority.
- iv) Where the debtor claims their income to be equal to or below national minimum income levels, i.e. state benefits, the Agent must insist on seeing evidence of this. In such cases they must agree a payment arrangement where the payments are at least equal to deductions which would be made by the Department for Works & Pensions.
- v) Where the debtor falls into a vulnerable category, (see 4.2 below), the Agent will refer the case to the relevant Authority before proceeding to make an enforcement visit.
- vi) On the first occasion when payments are not maintained under an agreed payment arrangement the Agent must send notice in writing to the debtor asking for payments to be brought up to date within 7 days.
- vii) If the debtor does not respond by paying the required amount, the Agent must make further attempts to contact the debtor before an enforcement visit. These attempts must include:
 - Searches of databases to obtain telephone numbers for the debtor,
 - If a telephone number is known up to three telephone calls are to be made, one of which must be outside of normal working hours,
 - If a mobile telephone number is known a reminder must be sent by text,
 - If an e-mail address is known a reminder must be sent by e-mail.
 - In cases where the debtor fails to make contact following the issue of a "Notice of Enforcement" the Agent must after 7 days have elapsed:
 - Send a further letter requesting payment giving 7 further days to respond.
- viii) If the debtor fails to bring the payments up to date following the actions taken at vi) and vii) or fails to contact the Agent following the actions, the Agent may proceed to the Enforcement Stage and make an enforcement visit for the purpose of "taking control of goods".

b) Enforcement Stage

- i) Whilst it is expected that the majority of liability orders will be for debtors who live in the relevant Authority's area, the Company must provide national coverage so that liability orders can be executed anywhere in England & Wales.
- ii) The Agent must not enter or re-enter premises where the only person present is a child or vulnerable person (see 4.2 below).
- iii) The Agent where considered appropriate may secure any arrangement by entering into a 'Controlled Goods Agreement'. No goods must be removed where

payments are being made in accordance with the agreement between the Agent and the debtor.

- iv) The Agent must not take control of goods which are exempt goods as defined in paragraph 4 of the Taking Control of Goods Regulations 2014.
- v) The Agent must not (unless the Court directs otherwise) take control of goods before 6am or after 9pm except where the premises are commercial premises when he/she may take control of goods at any time during the hours of trade or business.
- vi) Where following the “Taking Control of Goods” and a “Controlled Goods Agreement”, payments are not maintained under a payment arrangement the Agent must contact the debtor either by letter, e-mail, telephone, text or a combination of these asking for payments to be brought up to date within 7 days. If the debtor does not respond by paying the required amount the Agent may proceed to the Removal Stage.
- vii) Where an enforcement visit is made in relation to 2 or more liability orders at the same time the amounts outstanding must be combined for the purpose of calculating the enforcement fee to be charged to the debtor.
- viii) When the debtor is found to be vulnerable (see 4.2 below), the Agent must use his/her discretion in determining the appropriate course of action to be undertaken, or where necessary contact the Authority for further instructions.
- ix) Where no contact has been made following visit(s) in office hours, at least one visit should be made outside of normal office hours, as confirmed with each Authority, before referring the case back to the relevant Authority.

c) Removal and Sale Stage

- i) The Agent should where possible enter into a “Controlled Goods Agreement” and only proceed to the removal stage if the debtor fails to pay either in full or in accordance with an agreed payment arrangement.
- ii) The relevant Authority recognises that there will be circumstances where goods need to be removed immediately, such circumstances will include where the debtor refuses to enter into a “Controlled Goods Agreement”, or where if the goods are left at the premises they are likely to be moved by the debtor to prevent them being removed. In such cases the Agent may remove goods for sale but before doing so must contact the relevant Authority for authority to proceed.
- iii) Where goods are subject to a “Controlled Goods Agreement” and the Agent is refused access to remove those goods or where no contact is made with the debtor, the Agent may issue a “Notice of Re-Entry” giving the debtor 2 clear days to make payment in full to prevent a further visit for the purpose of removing goods.
- iv) In the event that the debtor fails to pay and the Agent considers that re-entry should be gained by the use of reasonable force, the Agent must contact the relevant Authority and the Police before proceeding.
- v) In Business Rates cases where the removal of goods would force the closure of the business, the Agent must contact the relevant Authority before proceeding.
- vi) The Agent must be mindful of the debtor's circumstances and remove goods in a caring manner and ensure their safekeeping and current value.
- vii) The Agent must advise the debtor where the goods will be stored and how payment can be made to prevent their sale.
- viii) The Agent must give notice of the date, time and place where the goods will be sold.
- ix) The Agent must provide an inventory and appropriate notice to the debtor for all goods removed.

4.2 When the Agent locates a person who is classified under one of the following vulnerable groups, or is of the opinion that the person may be vulnerable, they will use their

discretion in determining the appropriate course of Agent action to be undertaken, or where necessary contact the relevant Authority for instruction.

1. Elderly;
 2. People with severe disabilities;
 3. Recent family bereavement;
 4. Where the debtor or partner is in the final weeks of pregnancy. To be reviewed after the birth of the child;
 5. Communication difficulties where an advisor or an interpreter would be helpful;
 6. Where the welfare of children would be put at risk.
- 4.3 Where there is a dispute over the amount due the Agent should clarify with the relevant Authority before they take further action.
- 4.4 Information may be obtained by the Agent that will be of significance to decisions made by the Authority about escalated recovery methods (e.g. charging orders or bankruptcy). Guidance on information that must be recorded and passed on to the Authority will be agreed with individual authorities.
- 4.5 A minimum of 4 unsuccessful visits to the debtor's property should be made before the case is referred back to the relevant Authority. At least one of these visits to take place on a different day to the first visit unless the Agent has good reason to believe that the debtor will be present on making a return visit on the same day.
- 4.6 Where no contact has been made following visit(s) in office hours, at least one visit should be made outside of normal office hours, as confirmed with each Authority, before referring the case back to the relevant Authority.
- 4.7 Where the debtor is unable to put forward a reasonable offer of payment, or has insufficient goods or refuses legal access, the case will be returned to the relevant Authority with a full report of the circumstances of the case.
- 4.8 Complaints will be acknowledged within a period of 3 working days and a full response sent within 10 working days.
- 4.9 The Agent is expected to conduct trace enquiries where information is obtained that the debtor has absconded. The enquiries to be carried out include but are not limited to:
- Enquiries with Neighbours,
 - Enquiries with Estate Agents, Landlords, Solicitors,
 - Company Searches and enquiries with Directors,
 - Searches of various databases and the internet for example Experian and social media.
- ii) Where the debtor has moved and the Agent obtains details of a forwarding address and the date of vacation this information should be made available to the Authority.

This page is intentionally left blank

Our Council Scrutiny Panel Draft Work Programme 2019/20 12.6.19

Panel Meeting	Agenda
12.6.19	<ul style="list-style-type: none"> Enforcement Agents Council Tax - Tracey Richards Recovery Manager The Head of Assets to present an outturn report on 2019-2020 Disposal Programme - Julia Nock
4.9.19	<ul style="list-style-type: none"> Chair of Audit and Risk Committee – Briefing Cabinet Member for Resources - Portfolio Holder Session with Q & A and outline of key priorities Strategic Asset Plan 2018-23 update - Head of Assets Treasury Management - Annual Report 2018-2019 and Activity Monitoring Quarter One 2019-2020
20.11.19	<ul style="list-style-type: none"> Digital Printing Service – update – Gail Rider – Head of ICT <ol style="list-style-type: none"> Review the opportunities and competitiveness of providing print services outside of the local authority, operating on a commercial basis Put in place mechanisms to secure all internal printing requirements are provided in-house, removing the opportunity for staff to commission print work outside of the authority Improve the kitchen facilities for DPS in line with the rest of the authority's amenities Draft Budget and Medium-Term Financial Strategy 2020 - 2021
January 2020	<ul style="list-style-type: none"> Specific Reserves Working Group (date tbc)
15.1.20	<ul style="list-style-type: none"> Treasury Management Activity Monitoring - Mid Year Review 2019-2020
11.3.20	<ul style="list-style-type: none"> Treasury Management

Draft Notes

- The purposes of the Audit Committee are to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.
- Demonstration of the Proposed Future Customer Service Operating Model – Lisa Taylor – **date tbc**

3. Assessment and evaluation of the Smart Working Policy Denise Pearce, Head of Human Resource. That the Scrutiny Panel undertake an assessment and evaluation of the Smart Working Policy. Information on performance management and data on appraisals should also be included as part of the report – **date tbc**.
4. Treasury Management Training – **date tbc**
5. Specific Reserves Working Group – **date tbc**
6. Enforcements Agents to present evidence on role in council tax debt recovery – **date tbc**

Customer Services Update Our Council Scrutiny Panel

12 June 2019

CITY OF
WOLVERHAMPTON
COUNCIL

Our mission:
Working as one to
serve our city

Page 29

Agenda Item No. 7

wolverhampton.gov.uk

Customer Services Update

- Every day on average we have
 - 2500 calls (Mondays are busiest and regularly exceed 3000 calls)
 - 350 emails
 - 450 visitors to reception
- Call-back process has stopped from December 2018
- There are fewer resources
- Refuse changes and garden waste service demand has increased demand by 150%
- On average a customer services officer will take between 60-80 calls per day (depending on the service and nature of the enquiry)

Progress

- Contact data has been reviewed across all contact channels to ensure resources are targeted to demand.
- Family group model implemented from 1 May 2019 – services and resources grouped by demand and skill sets.
- Phase 2 of the restructure completed
- Work continuing with services on new style knowledge base / business rules for contact centre
- Performance information is being regularly shared across the contact centre

Next Steps

- Recruitment to new Senior Customer Service Officer posts
- New style knowledge base ' business rules for contact centre completed
- Service liaison meetings lead by team leaders begun
- Physical co location of family groups to ensure support is readily available
- Review email process and procedures to identify efficiencies

Performance Update

	Apr-18	Apr-19	Difference		May-18	May-19	Difference	
Total Calls Offered	57,705	58,562	+857	+1.5%	55,824	53,827	-1997	-3.7%
Total Calls Handled	31,645	35,111	+3466	+9.9%	36,340	37,917	+1577	+4.2%
Total Calls transferred	7,255	1,641	-5614	-342.1%	7,800	1,356	-6444	-475.2%

- The number of calls offered hasn't changed much from April and May last year to April and May this year.
- The number of calls handled has increased.
- The number of calls transferred have reduced considerably as we have stopped the call back process and now transfer calls to the appropriate family group and customer services officers that have the skillset to deal with the call type.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank