



The Havebury Housing Partnership Income Collection and Debt Recovery

HS 007

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| Unique Procedure Reference No | HS 007 | | |
| Relevant corresponding Policy <i>(procedures only)</i> | N/A | | |
| Approved by (inc date) | Leadership Team | | |
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| Author <i>(Document Owner)</i> | Amy St Ledger, Assistant Director of Customer and Housing Services | | |
| Accountable Director <i>(Relevant ED)</i> | Director of Operations | | |
| Consultation | Consultee | Y / N | Date |
| | Resident Voice | N | N/A |
| | JNC | N | N/A |
| | Other | N | N/A |
| Equality & Diversity Impact Assessment Outcome | 2020, reviewed 2023, no changes. Low. | | |
| Legal Advice (inc date) | Yes – September 2023 | | |

1. Responsibility

- 1.1 Leadership Team are responsible for approval and oversight and the Supported Housing & Income Manager and Income Team Leader and delegated staff are responsible for delivery.
- 1.2 The payment of rent and service charges is the responsibility of residents and leaseholders, this includes any shortfall that may arise from benefit payments or deductions.

2. Scope

- 2.1 This policy extends to all residents with an agreement or lease with us.
- 2.2 The Policy should be considered in conjunction with any support measures the government and bodies such as the Financial Conduct Authority (FCA) bring in. This includes but is not inclusive of the Mortgage Charter, which will protect shared owner residents from eviction for 12 months after their first missed payment.
- 2.3 In respect of maximising income and offering support, we will apply other policies and procedures alongside this policy, including the Income Procedure, Supported Strategy, Support Fund Policy and Rent Setting & Service Charges Policy.
- 2.4 We will comply with all regulatory requirements.
- 2.5 This policy also extends to all former residents including those from assured, transfer preserved, intermediate, shared ownership, sheltered and supported housing tenancies.
- 2.6 All sundry debts including court costs and rechargeable repairs charges are covered by this policy.

3. Aims and Objectives

- 3.1 We will seek to collect charges promptly from residents to protect the future provision of services.
- 3.2 The overall aim of the Income Collection and Debt Recovery policy is to minimise the level of rent/leaseholder debt for current and former residents. The specific objectives of the policy are as follows:
 - 3.2.1 To provide help and support to residents to prevent arrears through early intervention using a range of tools and techniques relevant to the customer and the situation.
 - 3.2.2 To help customers to take responsibility for their payments and debt through strong and effective partnerships, knowledge and signposting.
 - 3.2.3 To monitor debt levels and share this internally to shape decision making and strategy development and externally for benchmarking and good practice.
 - 3.2.5 To enable a fair approach to rent arrears prevention and where necessary, recovery to protect the future provision of services to our residents.

4. Policy Statement

- 4.1 We will abide by the pre court protocol and will never expose our customers or staff to danger or encourage them to act illegally. We will act with proportionality.
- 4.2 We have processes and systems that are designed to complement the purposes of this policy, allowing it to become customer focused and ensuring that our practices do not detract from what matters most to the service and to the resident.
- 4.3 We will seek to modify the policy relating to legal action and arrears recovery to allow for the processes involved in claiming and receiving Universal Credit. This may include varying court orders and allowing extra time to clear arrears above that which would normally be expected from a paying resident. In all cases we will agree set timescales with the resident for the repayment of the arrears and communicate these clearly.
- 4.4 The policy for collecting former resident accounts in arrears is to be driven by the level of arrears (over £200) and the information available to the income team in terms of forwarding addresses and the ability of the former resident or resident's estate to pay the debt. Our response and action will be proportionate and in line with our procedure.

5. Service Standards

- 5.1 We will notify residents of credits in a timely manner.
- 5.2 Take appropriate action in accordance with the level of former resident debt and to inform mechanisms for legal action as required.
- 5.3 To ensure we have a procedure for the collection of rechargeable items such as repairs and property maintenance during the void process for those residents who have terminated their tenancies.
- 5.4 We will seek to evolve our policies and processes in line with welfare and social and economic challenges to best enable our residents to meet their financial commitments.
- 5.5 To be agile and able to respond to changes in demand as a result of social or economic change.
- 5.6 Arrangements will be made for those wishing to clear arrears using the range of payment methods available to current residents: using a rent card; direct debit; standing order; My Havebury etc.
- 5.7 We will have access to support services and welfare and benefits advice to support residents in financial difficulty and make appropriate referrals and signposting to other agencies.

6. Definitions

| Term | Description |
|--------------------|---|
| Sundry Debts | These are often accounts set up for payments of written back old debt (write-ons) |
| Court Costs | separate accounts are created to recover these so they are not confuse with outstanding rent balance |
| Rechargeable debt | These are either for repairs or when a property need work to relet it beyond reasonable wear and tear |
| Pre court protocol | A list of prescribed contact with a resident before court or enforcement action is taken. |
| Residents | This includes all current and former residents who have held an agreement or lease with us. |

7. References

| Related External Documents |
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| <p>Reference</p> <p>The Rent Standard 2023</p> <p>Housing Act 1988</p> <p>Housing & Regeneration Act 2008 (Ministry of Homes Local Government and Communities) Performance Standards</p> <p>Human Rights Act 1998</p> <p>Welfare Reform Act 2012</p> <p>Welfare Reform and Work Act 2016</p> <p>Renters (Reform) Bill (Royal Assent expected spring 2024)</p> |
| Related Internal Documents |
| <p>FIN 001 - Financial Regulations and Standing Orders</p> <p>FIN 002 - Risk Management Policy</p> <p>HS 003 - Rent Setting & Service Charges Policy</p> <p>HS 004 - Customer Care Policy</p> <p>HS 041 - Support Fund Policy</p> <p>P002 - Income Procedure</p> <p>Tenancy Agreements</p> |

8. Document control (*mandatory section*)

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