

RATEPAYERS HARDSHIP POLICY

OBJECTIVE:

To provide assistance in accordance with the Local Government Act 1993 NSW, the Local Government (General) Regulation 2021 NSW and Debt Management and Hardship Guidelines to ratepayers who are experiencing acute financial difficulties in paying their ordinary rates, annual and/or user charges.

To outline Council's appeal process for a ratepayer not satisfied with the outcome of a hardship application.

LEGISLATIVE REQUIREMENTS:

- *Local Government Act 1993.*
- *Local Government (General) Regulation 2021 (NSW).*
- *Valuation of Land Act 1916 NSW*
- *Debt Management and Hardship Guidelines November 2018*

RELATED POLICIES AND PLANS:

- Debt Recovery Policy
- Pensioner Policy
- Privacy Management Plan

INTENTION:

The intention of this policy is to:

1. ensure the debt against the property is reduced over time;
2. offer, where appropriate, payment terms that extend beyond 12 months; and/or
3. offer relief for hardship resulting from certain valuation changes

Council will achieve this by providing:

- clear and accessible communication;
- flexibility with its payment options and processes to meet the needs and special circumstances of those facing hardship;
- fair equitable and respectful treatment;
- a 'stop the clock' approach to suspend recovery actions whilst a hardship application is awaiting a determination, or the applicant is complying with the approved payment arrangement;
- informal action first;
- minimised costs; and
- consistency in the application of debt management

ASSESSMENT PROCESS

Applications for relief under this policy, will be assessed on its merits and determined against:

- whether hardship exists, and if so;
- the scope of the relief to be given; and
- whether interest is to be written off.

This application will be assessed by the Financial Services Division and endorsed by either the Revenue Accountant or Finance Manager. All hardship applicants will be advised in writing of Council's decision.

ASSESSMENT REVIEW PROCESS

Any ratepayer, who is dissatisfied with a determination by the Finance Department under this policy, may request that the Rates Relief Review Panel review the decision.

The Rates Relief Review Panel will comprise of any three members of the Senior Management Team of Council. If a request is made for the review of a decision by the Financial Services Division, an appropriate Financial Services staff member will convene a meeting of the panel within 30 days of the request to review the decision. At that meeting, the panel will review the information presented to Council by the ratepayer, give consideration to the reasons why the Finance Division made the original determination and come to a majority decision on whether to grant rate relief or not. Once a decision is made by the Rates Relief Review Panel, a Finance Division staff member will formally notify the ratepayer of the outcome.

Should a ratepayer still be dissatisfied with the outcome, they can apply to Council for a review and the matter will be heard in closed Council. The applicant would be advised within 30 days of the closed Council meeting.

PRIVACY AND CONFIDENTIALITY

Council Officers will conduct themselves with courtesy and respect when dealing with ratepayers and shall maintain the privacy and confidentiality of all ratepayers' personal circumstances as per Council's Privacy Management Plan. Personal information collected as a result of this policy will only be used for the purpose of assessing eligibility under the policy, and will not be used for any other purpose, or disclosed to any other person, unless required by law to do so, or authorised to do so by the person to whom that personal information relates.

All personal information collected will be destroyed following the finalisation of the hardship application.

COMMUNICATION

The policy will be posted on Council's web site for public access.

POLICY REVIEW

This policy may be amended or revoked at any time and must be reviewed on an annual basis to ensure continuing compliance with all relevant legislation and related regulations.