

Council Policy



Policy Title:	Financial Hardship
Policy Number:	CPOL 6.8
Focus Area:	Making Council Great
Responsibility:	Financial Services
Meeting Adopted:	19 May 2020 [Resolution Number 190520/7]

OBJECTIVE

This policy is to determine the process for considering applications for Financial Hardship in payment of rates and charges (including water, sewerage, waste and stormwater).

POLICY

The Policy - Financial Hardship is to establish provisions to assist in the application of Financial Hardship that may be experienced by ratepayers in the payment of rates and charges. A Financial Hardship application if approved and an arrangement for payment adhered to, may result in any of the following:

- Interest not being charged on arrears for twelve (12) months
- Write-off interest on rates and charges already incurred either in full or part
- Enter into an arrangement for payment of outstanding rates and/or charges
- Commenced legal action suspended
- No legal action to commence
- Any combination of the above.

The terms of this financial hardship policy are for twelve (12) months from date of acceptance

Application Conditions/Procedure

Residential

The applicant must be the owner or part owner of the property and be liable for the payment of rates on the property.

The applicant can only apply for Financial Hardship in relation to rates and charges levied on their principal place of residence. Owning multiple properties may have a negative impact on the resident's application.

Business

The applicant/s must be the owner/part owner or lessee and is liable for the payment of rates.

The application for Financial Hardship must be accompanied with supporting documentation which may include but not limited to; copy of recent bank statements of all accounts, details of income and expenditure or evidence of government assistance package applications and acceptances.

The application will be reviewed by the Senior Revenue Officer, Revenue Coordinator and/or the Chief Financial Officer and in accordance with Council Policy Write-Off of Rates and Charges and the General Manager's delegated authority.

A recommendation to be made to the General Manager for amounts less than \$2,000. For amounts greater than \$2,000 a report to be prepared for resolution in Closed Council to protect the applicant(s) privacy in accordance with Section 10A(2)(b) of the Local Government Act 1993. The General Manager or Council will review the information provided and determine if financial hardship will be granted.

Guidelines when Granting Financial Hardship

Interest will not be charged where a payment arrangement plan is adhered to.

Where a scheduled repayment default occurs, the levying of interest charges is to be reactivated from the last payment made in accordance with the repayment schedule. The ratepayer will be contacted via correspondence and advised of the repayment default.

Continuing Financial Hardship

If the ratepayer continues to experience hardship after the period approved by Council has expired, a new application must be made by the ratepayer with new supporting documentation required as outlined above.

Cancellation of Financial Hardship Agreement

The financial hardship arrangement may be cancelled as a result of the following:

- Defaulting on the payment arrangement
- The ratepayer no longer owns the land
- The business is closed or sold
- The ratepayer advises Council that financial hardship no longer applies
- Council receives information that the financial hardship no longer exists

Such cancellation will be at the discretion of the General Manager or Chief Financial Officer.

Privacy of the Applicant

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.

REVIEW

This policy will be reviewed by Council at the time of any relevant legislative changes, compliance requirements or at least every four years.

Version Number	Date	Reason / Comments
1	23/06/2015	Policy adopted
2	19/09/2017	Policy review
3	21/11/2017	Policy review
4	16/10/2018	Policy review
5	09/04/2020	Format update only
6	19/05/2020	Inclusion of Business