



## Our code for collecting Council Tax

This information tells you how we collect council tax and what to do if you have difficulty paying.

### **Paying your bill**

All payments are over 10 or 12 monthly instalments and are due by the 1<sup>st</sup> or 15<sup>th</sup> of the month (8<sup>th</sup> and 22<sup>nd</sup> of the month are available upon request) unless you opt to pay by direct debit.

#### Direct debit

If you have a bank or building society account, Direct Debit is the easiest and safest way to pay. You can spread your payments over 10 or 12 monthly instalments, or you can opt to pay weekly, every Monday. If you opt to pay monthly you can choose one of three payment dates (1<sup>st</sup>, 18<sup>th</sup> or 28<sup>th</sup>).

Payments are made directly from your bank or building society account. We will tell you how much the payment will be. You do not need to fill in another form or set up new payments each year - we will do this for you. If there is a mistake, you can get a refund immediately from your bank or building society. You can cancel the arrangement at any time.

You can set up a direct debit online using the secure [Lewisham website](#).

#### Debit/credit card

You can pay your council tax by debit or credit card by using our automated TouchTone service by telephoning 020 8690 8707 anytime day or night. This system validates your account details before your payment is completed, ensuring that your payment is allocated swiftly.

To use the TouchTone service, you will need to have your eight-digit council tax account number and your debit or credit card details ready.

Alternatively you can make a payment on the [Lewisham website](#) select online payments. This is a secure website which validates your account details before your payment can be completed. No other online banking site does this, making it quicker, easier, and safer than paying online via your own banks' website.

#### PayPoint

In local shops or wherever you see the PayPoint sign. You can use them whenever the shops are open, including weekends and evenings and there is no charge. You can only make payments by cash. All you need is a bill with a bar code on it. Please go to [paypoint locator](#).

## Post Office

You can pay your council tax at your local post office by cash, cheque, or debit card. Credit cards are not accepted. All you need is a bill with a bar code on it. The cashier will scan the bar-code and give you a receipt for your payment. Please note postdated cheques cannot be accepted.

## **Reducing your bill**

### Discounts

If you live on your own, you can apply for a 25% discount off your council tax bill. Even if you share your home, you may still be entitled to a discount of 25%, 50% or 100% if you, or those you share with, are not counted towards paying council tax. These people are known as being disregarded and include:

- full time students
- student nurses
- apprentices
- anyone who is 18 or 19 and still at school or is in full time further education
- anyone with a severe mental illness (SMI)
- carers
- young care leavers under the age of 25 (from 1<sup>st</sup> April 2018).
- sanctuary discount (from 1<sup>st</sup> April 2022).
- Homes for Ukraine (Ukraine Permission Extension (UPE) visa holders do not qualify for this reduction).
- Persons being detained (prison, hospital by court order, under the Mental Health Act, or awaiting deportation)
- anyone who is in a residential care home or nursing home
- members of religious communities
- members of visiting forces
- anyone who is in a hostel or shelter
- diplomats, members of international headquarter, etc.
- foreign language assistants.

You will need proof of your status: for example, a student certificate, a doctor's certificate, or a letter from your prison etc.

If you are applying for a 25% discount to be backdated before the 1<sup>st</sup> of April of the current financial year, you will need to supply proof and give your reasons in writing for not applying earlier.

### Disabled relief

You are not entitled to any reduction in your council tax bill for being disabled. However, if your property has been adapted or has special facilities because someone who lives there is physically disabled, you may qualify to be charged at a lower valuation band. For example, if your property is in band D, you will only have to pay the charge for band C. To qualify you must have:

- added an extra bathroom or kitchen for the disabled person to use or
- adapted the property to allow enough room for a wheelchair to be used inside at all times
- have a room that is used to meet the needs of the disabled person.

The band reduction will only remain in place for as long as the disabled person occupies the property as their main residence.

#### Council Tax Reduction Scheme (CTRS)

On 1 April 2013, the Government replaced council tax benefit with a local council tax reduction scheme for people on low income.

If you are of working age, you will no longer get all your council tax paid, regardless of your circumstances. This is because the government has reduced the grant it gives the council. Pensioners will not be affected by these changes.

To find out if you are eligible with help towards paying your council tax bill please visit [Lewisham council tax reduction scheme](#)

## **Do not get behind with your payments!**

### **Reasonable Adjustments and Vulnerability**

We recognise that some people may have personal circumstances that make it more difficult to manage their Council Tax account or to contact us.

If you are vulnerable or require additional support, we can consider making reasonable adjustments to how we manage your account or communicate with you.

This may be appropriate where difficulties arise due to, for example:

- Illness or disability
- Mental health difficulties
- Learning needs
- Language barriers
- Caring responsibilities
- A sudden change in circumstances, such as bereavement or loss of employment

### **What Reasonable Adjustments Mean**

Reasonable adjustments relate to how we provide our service, not whether Council Tax is payable. Council Tax is a priority debt and must still be paid in accordance with the law.

Adjustments do not allow individuals to:

- Choose how much they pay, or
- Avoid payment altogether

Any adjustment offered will depend on your individual circumstances and what it is reasonable for us to provide. We will consider the information available to us and may request supporting evidence where appropriate.

Recovery action may continue; however, we will take account of any vulnerabilities identified and aim to ensure action is fair, proportionate, and appropriate.

If you believe you may need additional support, please contact us as soon as possible.

If you do not contact us, or if you fail to keep to an agreed arrangement, recovery action may continue, including legal enforcement.

Please let us know straight away if you have problems paying your council tax.

We will try and work out a payment plan to help you. If you still owe money from last year's bill, we may be able to spread the payments over this year if you have not received a summons.

We treat each case separately and aim to avoid taking legal action which increases the amount you owe.

Since payment arrangements usually end in January, we may extend the payment period through to February or March to help you pay off what you owe. This depends on the time of year and how much you owe.

If you owe money for previous years, we may ask you to add payments for the amount you owe to any monthly or weekly payments you have still got to make for the current financial year.

If your circumstances change suddenly (for example, if someone close to you dies, you become unemployed or are having financial difficulties), we can always try and arrange another way for you to pay to help you get over the difficult period. We will review this arrangement when your circumstances change. We aim to make sure that anyone in difficulty gets as much help as possible with their council tax payments.

We will expect you to keep to any arrangement we make with you...if you do not, we will take legal action.

Council tax is a priority debt and must be paid before any credit card and/or charge card repayments.

### **Discretionary Relief (Section 13a)**

If you are experiencing severe hardship or exceptional personal circumstances, you can apply for additional discretionary relief under Section 13A of the Local Government Finance Act.

Every application will be considered on its merits, but you will be asked to provide full details of your circumstances, including a detailed financial breakdown. You must also show what you have done to try to reduce your indebtedness to the Council.

### **What happens if I do not pay?**

As soon as you miss a payment, we will send you a reminder. This lets you know that your payment is late. This reminder gives you seven days to make all the payments you have missed. If you do not pay all the money you owe, we will send you a summons for the full amount and charge you additional costs.

If you get a reminder and cannot pay, contact us immediately so we can discuss the possibility of spreading the missed payments over your remaining instalments. If you agree to this arrangement and do not keep to your payments or if you ignore the reminder, we will take you to court.

If you paid the amount due on the reminder and you miss another payment, we will send you a final notice. You will lose your right to pay by instalments, and the final notice will ask you to pay all the council tax you still owe for the financial year within seven days.

We will send you a summons if you do not pay the full amount.

## **Court Proceedings**

If Council Tax remains unpaid after reminders and other attempts to resolve the matter, the Council may apply to the Magistrates' Court for a summons. The summons will include additional court costs, which are added to your account.

The purpose of the court hearing is for the Council to request a Liability Order. A Liability Order is a legal confirmation that Council Tax is owed and allows the Council to use certain recovery methods provided for in law.

At the hearing, the magistrates will consider whether:

- The Council Tax has been charged correctly
- You are the person responsible for paying the Council Tax
- The amount has already been paid in full

The court does not consider ability to pay when deciding whether to grant a Liability Order.

If you are unable to pay the full amount shown on the summons, including costs, you should contact the Council as soon as possible. Early contact may allow us to discuss your circumstances and prevent recovery action from progressing further.

The Council recognises that some people may need additional support. Any vulnerability or reasonable adjustment needs that have been identified will be taken into account when considering recovery action following the court process.

If a Liability Order is granted and the balance remains unpaid, the Council may use one or more of the recovery methods available in law. These are explained below.

## **Enforcement Agents**

If a Liability Order has been granted and the outstanding balance remains unpaid, we may instruct an Enforcement Agent to recover the debt on our behalf. This is a statutory recovery option and is generally used only where earlier attempts to resolve the matter have not been successful.

Enforcement Agents may take control of goods in accordance with the law. Any goods taken may be removed and sold at public auction to reduce or clear the outstanding debt.

You will be liable for enforcement fees applied in line with:

- Schedule 12 of the Tribunals, Courts and Enforcement Act 2007
- The Taking Control of Goods Regulations 2013
- The Taking Control of Goods (Fees) Regulations 2014

Once an account has been passed to an Enforcement Agent, statutory instalment rights no longer apply. However, you should still contact the Enforcement Agent as soon as possible to discuss your circumstances, including any vulnerability or financial difficulty.

Enforcement fees are set by legislation and are applied nationally. The fees are charged at different stages of the enforcement process as follows:

- £75.00 Compliance Stage Fee – charged when the case is first passed to the Enforcement Agent
- £235.00 Enforcement Stage Fee – charged if the agent attends your address after no response

- £110.00 Sale or Disposal Stage Fee – charged if goods are taken  
Where applicable, an additional 7.5% fee is charged on any debt over £1,500, in line with regulations.

Enforcement Agents are required to identify and respond appropriately where a person may be vulnerable. If vulnerability is identified, the Enforcement Agent will refer the case back to the Council for further consideration before continuing action. This may include reviewing recovery options to ensure action taken is fair, proportionate, and appropriate to the individual's circumstances.

Once a case has been passed to an Enforcement Agent, payments must be made directly to the agent, quoting their reference number. While statutory instalment rights no longer apply at this stage, you should still discuss your circumstances with the Enforcement Agent, who may consider appropriate payment options in line with regulations.

### **Attachment of Earnings**

Before applying for an Attachment of Earnings Order, the Council will consider the circumstances of the case, including any financial hardship or vulnerability that has been identified.

Where appropriate, alternative recovery methods may be considered to ensure that action taken is fair, proportionate, and reasonable.

If you are in employment and Council Tax arrears remain unpaid following a Liability Order, the Council may apply for an Attachment of Earnings Order.

This order requires your employer to make deductions from your wages and pay them directly to the Council. The amount deducted is set by law and is based on your earnings, ensuring that deductions remain within statutory limits.

Employers are permitted by legislation to deduct a small additional amount to cover their administration costs.

### **Deductions from Benefits**

Where a Liability Order has been granted and Council Tax arrears remain unpaid, the Council may request that deductions are made directly from certain Department for Work and Pensions (DWP) benefits.

The amount deducted is set by central government and is taken at a standard weekly rate, which may change from time to time. Deductions are made by the DWP and paid directly to the Council.

Before requesting deductions from benefits, the Council will consider the circumstances of the case, including any vulnerability, financial hardship, or additional support needs that have been identified.

This recovery method is generally used where it is considered to be a manageable and proportionate way of recovering Council Tax arrears.

### **Committal to prison**

If other recovery methods have been unsuccessful, the Council may apply to the Magistrates' Court for a committal hearing. This is a separate legal process and is used only as a last resort.

At a committal hearing, the court will consider whether the non-payment of Council Tax is due to wilful refusal or culpable neglect. You will be given the opportunity to attend court and explain your circumstances.

A custodial sentence of up to three months may only be imposed where the court is satisfied that the debt has not been paid despite the person having the means to do so. Imprisonment is rare and will not be considered where non-payment is due to genuine financial hardship.

Engagement with the Council at an early stage, and keeping to any agreed arrangements, can help prevent recovery action from progressing to this stage.

### **Charging Orders on Property**

Before applying for a Charging Order, the Council will consider the individual circumstances of the case, including any vulnerability or financial hardship that has been identified.

Where appropriate, alternative recovery options may be considered to ensure that action taken is fair, proportionate, and reasonable.

Where a Liability Order has been granted and Council Tax remains unpaid, the Council may apply to the court for a Charging Order against a property owned by the tax payer.

A Charging Order secures the outstanding debt against the property, like a mortgage or loan. This does not mean that the property will be taken or sold immediately. The debt must usually be cleared if the property is sold or transferred, unless the court directs otherwise.

If you are concerned about this type of recovery action, you should contact the Council as soon as possible to discuss your circumstances. Early engagement may help prevent recovery action from progressing further.

### **Bankruptcy Proceedings**

Before considering bankruptcy action, the Council will take account of the individual circumstances of the case, including any vulnerability, financial hardship, or additional support needs that have been identified.

Alternative recovery options may be considered where appropriate to ensure that action taken is fair, proportionate, and reasonable.

Where significant Council Tax arrears remain unpaid and other recovery methods have been unsuccessful, the Council may consider applying for bankruptcy proceedings.

Bankruptcy is a serious legal process and is used only in limited cases. If a bankruptcy order is made by the court, a person's assets may be realised to help clear outstanding debts, and there may be restrictions on obtaining credit for a period of time.

Bankruptcy proceedings are not automatic and will only be pursued where the Council considers it to be a reasonable and proportionate course of action.

## **Our Commitment**

We are committed to providing a polite, friendly, helpful, prompt and efficient council tax service.

We will treat you politely and with respect and the member of staff serving you will tell you their name.

We will give you clear and brief information about the services we provide, the standards we aim to achieve and our actual performance.

We will take fast and effective action to get back any council tax which is not paid.

We will discuss the possibility of an arrangement with you if you are behind with your payments because of unexpected circumstances or if it would cause you real financial difficulty to pay straight away.

Please let us know if you are unhappy with any part of the council tax service. We will send you details of our complaints procedure and how to complain if you ask us to.

We would also like to hear from you if you are pleased with the service we have given, and you feel the member of staff concerned deserves some recognition.

## **Freedom of Information Act (2000)**

The Freedom of Information Act 2000 aims to promote openness and accountability amongst public sector bodies. The act became law on 30 November 2000 and gives a general right of access to all types of recorded information, regardless of how the information is held.

People can gain access to information held in two ways:

- Freedom of Information Publication Scheme for the London Borough of Lewisham – some information is made routinely available and listed through our publication scheme.
- A written request for any information held by a public authority (subject to a number of exemptions which permit withholding information). The authority is duty bound to comply with the act when responding.

Further details about the Freedom of Information Act can be found on [Lewisham council website](#).

## **Privacy Notice**

Lewisham Council is committed to maximising the income and access to services of its residents as efficiently and responsibly as possible. To this end, the Council seeks to share the information held across its databases with each other. The Council seeks to utilise the information held to process entitlements and service access without the need for additional application completion from the individual resident wherever possible.

Sharing information across council departments seeks to keep repeated information gathering and form completion to a minimum. The Council considers this to be a legitimate reason to share information. Where information is shared there is always the potential to uncover conflicting information and potential fraud, the Council also considers this a legitimate reason to share information as we have a duty to protect the Public Purse.

In all cases requests for information will be collected and shared across Council departments only with sufficient detail to enable a decision to be made. The information, where necessary may also be passed to third parties such as the Department for Work and Pensions, Lewisham Homes, Housing Associations, Child Benefit Centre, Social Services, Anti Fraud and Corruption, South London and Maudsley and the Primary Care Trust, Housing Benefit and Benefits Department, The Audit Commission and Her Majesty's Customs and Revenues. This will be necessary where the Council does not administer the potential entitlement or service.

We will share information wherever statutory law allows.

The Council seeks to reassure residents that all information will be shared in a secure manner. For example, the Council has access to the Secure Gateway to share information with the Department for Work and Pensions. Internally, the Council will share information via nominated officers. Where information is deemed to be more sensitive, such information will only be shared where it is necessary to enable a decision to be reached and will be shared in a secured fashion.

Wherever we request information from you, we will include a declaration to sign to permit the sharing of information to take place. You will have the option, as part of this declaration to opt out of the sharing process. If consent is withheld, then the benefit or service to which the initial application applies only will be processed. If you want to know more about the information we have about you, or the way we use and share the information you may visit [Lewisham council website](#).

## **Help and advice**

Phone on 020 8690 9666 Monday to Friday 9am – 3pm.

Book a [Summons surgery telephone appointment](#) held once a week from 10am – 4pm.

Write to us at London Borough of Lewisham, Council Tax, PO Box 58993, London SE6 9GZ.

Please note we no longer offer a face-to-face enquiry service at Laurence House.

If you want independent help or advice from someone who doesn't work for the Council, please use the [Money Helper Debt Advice Locator](#) to find your nearest organisation. Some of the organisations are:

[Citizens' Advice Bureau Lewisham](#), Bonfield Road, London, SE13 5EU

[National Debtline](#) gives free information to people with debt problems, Telephone 0808 808 400

Alternatively, for those with internet access, the following organisations offer financial advice and support with managing debt:

- [Citizens Advice](#)
- [Step Change Money Helper](#)

For free, independent advice please visit [Advice Lewisham](#).