

Shire of Wiluna Policy Manual

FINANCIAL HARDSHIP POLICY

Policy 2.39

Policy Objective

To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire of Wiluna recognises that these challenges will result in financial hardship for our ratepayers.

This Policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

Policy Scope

This policy applies to:

1. Outstanding rates and service charges as at the date of adoption of this policy; and
2. Rates and service charges levied for the 2020/21 financial year.

It is a reasonable community expectation, as we deal with the effects of the pandemic that those with the capacity to pay rates will continue to do so. For this reason, the Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

Policy Statement

1. Payment difficulties, hardship and vulnerability

Payment difficulties, or short-term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Wiluna recognises the likelihood that COVID19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

2. Anticipated Financial Hardship due to COVID19

We recognise that many ratepayers are already experiencing financial hardship due to COVID-19. We respect and anticipate the probability that additional financial difficulties will arise when their rates are received.

We will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, we will also provide contact information for a recognised financial counsellor and/or other relevant support services.

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3. Financial Hardship Criteria

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

4. Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of Wiluna of any change in circumstance that jeopardises the agreed payment schedule.

5. Interest Charges

A ratepayer that meets the Financial Hardship Criteria will not attract interest or penalty charges on rates / service charge debt in 2020/21, subject to the period of time that the Local Government (COVID-19 Response) Ministerial Order 2020 remains effective (SL 2020/67 – Gazetted 8 May 2020).

In the case of severe financial hardship, the Shire of Wiluna may consider writing off interest applicable to the Emergency Services Levy and / or interest previously accrued on rates and service charge debts.

6. Deferral of Rates

Deferral of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and

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- does not incur penalty interest charges.

7. Debt recovery

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2021/2022 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/22 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

8. Review

We will establish a mechanism for review of decisions made under this policy and advise the applicant of their right to seek review and the procedure to be followed.

9. Communication and Confidentiality

We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at your request.

We will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

We recognise that applicants for hardship consideration are experiencing additional stressors, and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

Document Control	
Responsible Directorate	Office of the CEO
Relevant Section	
Legislative Requirement	
Council Meeting Held & Adopted, Resolution #	26 August 2020, Resolution no. 133/20
Amendments, Date & Resolution #	
Review Dates & Resolution #	
Next Review Date	August 2021



FINANCIAL HARDSHIP APPLICATION

The Shire of Wiluna has adopted a Financial Hardship Policy as we know many in our community may be suffering financial hardship as a result of the Coronavirus (COVID-19) or other life events that impact a person's capacity to pay their Rates. We want to ensure that eligible Ratepayers can apply and be considered for assistance to meet their Rates payment responsibilities.

A successful application will result in a rates payment plan agreed between you and the Shire of Wiluna and if there is extreme financial hardship, penalty interest may be written off or not applied to the rates debt for a period of time.

Of course, the Shire of Wiluna expects that Ratepayers will make reasonable efforts to make payments in accordance with their agreed payment plan, but we do understand that things can change and you can contact us at any time to request an adjustment to your payment plan.

Are you eligible to apply?

Any Ratepayer experiencing difficulties in meeting their financial commitments is eligible to apply.

How is a decision made about my application?

Decisions about financial hardship applications will be assessed based on the information provided in the application form and attachments submitted. This information will be assessed against the requirements of the Shire of Wiluna Financial Hardship Policy. You can read the Financial Hardship Policy on our website or request a copy from our Rates Section.

After you submit an application, we will contact you if we need more information.

Do you need help to make an application?

Contact our Rates Section on (08) 9981 8000 and one of our friendly staff will be able to assist you. We can assist you over the phone, in a face to face appointment or we can connect you with other financial counselling or community support agencies to meet your needs.

Privacy and Confidentiality

We understand that the information requested in this application is sensitive and we will treat it as confidential and only use this information for making decisions regarding your rates debt.

Right to have the decision reviewed

If you are not happy with our decision about your application, you can ask for the decision to be reviewed. Decision review requests can be submitted to the Chief Executive Officer, who will consider your request and advise you of the outcome. Email your request to ceo@wiluna.wa.gov.au or mail to Shire of Wiluna, PO Box 38, WILUNA WA 6646.

If you are still unhappy with the decision and outcome of your appeal, you can seek advice from Ombudsman WA – check the website www.ombudsman.wa.gov.au or Phone 08 9220 7555, Freecall 1800 117 000 or email mail@ombudsman.wa.gov.au



RATEABLE PROPERTY DETAILS

Address:			
	Suburb:		Postcode:
Assessment Number <i>(if known)</i>			
Outstanding Rate Account Balance <i>(if known)</i>	\$		
Is the property owner / occupied or is it rented?	<input type="checkbox"/> Owner/Occupied		
	<input type="checkbox"/> Tenanted Rental		
	<input type="checkbox"/> Untenanted Rental		
If the property is rented, how is it managed?	<input type="checkbox"/> Managing Agent (provide agent's name)		
	<input type="checkbox"/> Privately managed		
If you are the lessee of the rateable property, what type of lease do you hold?	<input type="checkbox"/> Peppercorn	<input type="checkbox"/> Mining tenement	
	<input type="checkbox"/> Commercial	<input type="checkbox"/> Crown	

APPLICANT DETAILS

Ratepayer 1			
Company Name			
Surname:		First Name:	
Residential Address:			
	Suburb:		Postcode:
Postal Address			
	Suburb:		Postcode:
Email:			
Telephone:		Mobile:	
If we need to phone you, what time of day is most convenient for you?			
<input type="checkbox"/> Business Hours 9am – 5pm <input type="checkbox"/> Early Morning 6am – 9am <input type="checkbox"/> Evening 5pm to 7pm			
Ratepayer 2			
Company Name			
Surname:		First Name:	
Residential Address:			
	Suburb:		Postcode:
Postal Address			
	Suburb:		Postcode:
Email:			
Telephone:		Mobile:	
If we need to phone you, what time of day is most convenient for you?			
<input type="checkbox"/> Business Hours 9am – 5pm <input type="checkbox"/> Early Morning 6am – 9am <input type="checkbox"/> Evening 5pm to 7pm			



FAMILY CIRCUMSTANCES

Are you supporting dependents?

<input type="checkbox"/>	Spouse / Partner
<input type="checkbox"/>	Children How many dependent children do you support? <input type="text"/>
<input type="checkbox"/>	Other <i>(please provide details)</i>

NOMINATE AN AUTHORISED AGENT

You can authorise another person to deal with the Shire of Wiluna regarding your financial hardship application and rates debt:

Agency Name:	<input type="text"/>		
Contact Surname:	<input type="text"/>	First Name:	<input type="text"/>
Contact Address:	<input type="text"/>		
	Suburb:	<input type="text"/>	Postcode: <input type="text"/>
Email:	<input type="text"/>		
Telephone:	<input type="text"/>	Mobile:	<input type="text"/>

PREVIOUS RATE PAYMENT ARRANGEMENTS

Please tell us what option you chose to pay your rates in the last financial year.

<input type="checkbox"/>	Paid in Full
<input type="checkbox"/>	Instalments x 2 payments Paid in Full <input type="checkbox"/> Yes / <input type="checkbox"/> No
<input type="checkbox"/>	Instalments x 4 payments Paid in Full <input type="checkbox"/> Yes / <input type="checkbox"/> No
<input type="checkbox"/>	Special Payment Plan <input type="checkbox"/> Plan still active OR <input type="checkbox"/> Plan cancelled <i>(defaulted)</i>
<input type="checkbox"/>	Unknown <i>(The <<Shire / Town / City>> can find this information in our records if you are unable to provide it here.)</i>
<input type="checkbox"/>	Other <i>(please provide details)</i>

RATE CONCESSION ENTITLEMENT

You may be entitled to a Rates concession or deferment.

Applicant 1	Applicant 2	Do currently you hold any of the following cards?
<input type="checkbox"/>	<input type="checkbox"/>	Seniors Card ONLY
<input type="checkbox"/>	<input type="checkbox"/>	WA Seniors Card AND a Commonwealth Health Care Card <i>(you must have both cards)</i>
<input type="checkbox"/>	<input type="checkbox"/>	Pensioner Concession Card OR State Concession Card



FINANCIAL HARDSHIP INFORMATION

Please tell us about the reasons your financial circumstances have changed.

		Ratepayer 1	Ratepayer 2
Have you petitioned for bankruptcy? <i>If yes, you are <u>not</u> eligible under the Financial Hardship Policy.</i>		<input type="checkbox"/> Yes / <input type="checkbox"/> No	<input type="checkbox"/> Yes / <input type="checkbox"/> No
<i>Please select all applicable reasons from the list below:</i>			
<input type="checkbox"/>	Is your financial hardship caused by the impacts of the Coronavirus (COVID-19)? 'Yes' or 'No' won't affect your application, but will help to understand the impact of the pandemic.	<input type="checkbox"/> Yes / <input type="checkbox"/> No	<input type="checkbox"/> Yes / <input type="checkbox"/> No
<input type="checkbox"/>	Unemployed Date employment ceased:		
<input type="checkbox"/>	Under-employed Average hours worked p/week:		
<input type="checkbox"/>	Temporarily stood-down Date of stand-down:		
<input type="checkbox"/>	Income has been reduced <i>Please provide details in the Financial Information section below.</i>		
<input type="checkbox"/>	Unable to work due to responsibilities as a carer	<i>Please attach copy of letter from medical practitioner</i>	
<input type="checkbox"/>	Unable to work due to physical or mental health diagnosis		
<input type="checkbox"/>	Diagnosed with Coronavirus (COVID-19) and unable to work		
<input type="checkbox"/>	Unable to work due to self-isolation	Start Date:	
		End Date:	
<input type="checkbox"/>	Death in the family		
<input type="checkbox"/>	Family or domestic violence		
<input type="checkbox"/>	Other <i>(Please provide details)</i>		

CURRENT FINANCIAL INFORMATION

Accurate financial information is important so you do not commit to an unrealistic payment plan

INCOME <i>Please provide <u>monthly</u> Net Income</i>		Ratepayer 1	Ratepayer 2
<input type="checkbox"/>	Wages / Salary	\$	\$
<input type="checkbox"/>	Pension or other Government Benefit	\$	\$
<input type="checkbox"/>	JobKeeper	\$	\$
<input type="checkbox"/>	JobSeeker	\$	\$
<input type="checkbox"/>	Interest or earnings from banks, financial institutions or dividends	\$	\$
<input type="checkbox"/>	Compensation, superannuation, insurance or retirement benefits	\$	\$
<input type="checkbox"/>	Child Support Payments	\$	\$
<input type="checkbox"/>	Rental income	\$	\$
<input type="checkbox"/>	Other income? <i>(Please describe)</i>	\$	\$
Office Use ONLY		Calculate Total Monthly Income	
		\$	



If Reduced Income is a reason for this Financial Hardship Application, please complete:		Ratepayer 1	Ratepayer 2
Previous monthly income:		\$	\$
Date that reduced income occurred:		/ / 2020	/ / 2020
Current monthly income:		\$	\$
Office Use ONLY	Calculate Monthly Income Reduction	\$	

EXPENSES			\$ Amount per month
<i>Please provide monthly household expenditure as a total for all applicants :</i>			
<input type="checkbox"/>	Mortgage / Home Loan		\$
<input type="checkbox"/>	Other Mortgages / business loans		\$
<input type="checkbox"/>	Other loans		\$
<input type="checkbox"/>	Credit Card/s		\$
<input type="checkbox"/>	Utilities	Power	\$
		Water	\$
		Internet	\$
		Phone/s	\$
<input type="checkbox"/>	Insurances		\$
<input type="checkbox"/>	Food and living expenses		\$
<input type="checkbox"/>	Motor vehicle expenses (<i>licensing, repairs, fuel</i>)		\$
<input type="checkbox"/>	Entertainment (<i>streaming services / eating out, etc</i>)		\$
<input type="checkbox"/>	Other expenditure? (<i>Please provide details</i>)		\$
Office Use ONLY	Calculate Total Monthly Expenditure		\$

SUPPORTING DOCUMENTS

Please provide copies of documents you may have to support this application.

<input type="checkbox"/>	Letter from financial counsellor, confirm financial hardship circumstances
<input type="checkbox"/>	Letter from medical practitioner
<input type="checkbox"/>	Centrelink payment evidence
<input type="checkbox"/>	Letter from your employer / recent payslips
<input type="checkbox"/>	Letter from another agencies that has deemed you to be in financial hardship <i>i.e. your bank, superannuation fund or utility provider</i>
<input type="checkbox"/>	Statutory declaration from a professional familiar with your financial circumstances <i>i.e. family doctor, accountant</i>
<input type="checkbox"/>	Other (<i>please list</i>)



PAYMENT PROPOSAL

Please provide a payment proposal that, if approved, will be your commitment to make payments toward your rates debt.

Before selecting an option below, please consider all your financial commitments so that your payment proposal will **not** limit your ability to meet basic living expenses for you and your dependents.

<input type="checkbox"/>	OPTION 1 Regular Payment Plan															
	Nominate how much you want to pay and how frequently you want to pay this amount. <u>This option is preferred</u> as it will help you to reduce your rates debt through regular payments. This option helps to avoid having to make a large single payment that may impact your ability to meet basic living expenses for you and your dependents.															
	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Proposed Payment Amount:</td> <td style="width: 10%;">\$</td> <td colspan="2"></td> </tr> <tr> <td rowspan="2" style="width: 40%;">Proposed Payment Frequency</td> <td style="width: 20%; text-align: center;"><input type="checkbox"/> Weekly</td> <td style="width: 20%; text-align: center;"><input type="checkbox"/> Fortnightly</td> <td style="width: 20%; text-align: center;"><input type="checkbox"/> Monthly</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> Bi-monthly</td> <td colspan="2" style="text-align: center;"><input type="checkbox"/> Quarterly</td> </tr> <tr> <td>Proposed Start Date:</td> <td colspan="3"></td> </tr> </table>	Proposed Payment Amount:	\$			Proposed Payment Frequency	<input type="checkbox"/> Weekly	<input type="checkbox"/> Fortnightly	<input type="checkbox"/> Monthly	<input type="checkbox"/> Bi-monthly	<input type="checkbox"/> Quarterly		Proposed Start Date:			
Proposed Payment Amount:	\$															
Proposed Payment Frequency	<input type="checkbox"/> Weekly	<input type="checkbox"/> Fortnightly	<input type="checkbox"/> Monthly													
	<input type="checkbox"/> Bi-monthly	<input type="checkbox"/> Quarterly														
Proposed Start Date:																

<input type="checkbox"/>	OPTION 2 Defer Payment in Full		
	Nominate a date on which you will pay your rates debt in full. This option may be suitable if you are <u>temporarily</u> unable to work or <u>temporarily</u> have reduced income and you <u>know</u> when your circumstances will return to normal. <u>DO NOT select this option</u> if you are not certain that you can pay your rates debt in full on or before the nominated date, as if you fail to do so, the Shire of Wiluna may initiate debt collection proceedings.		
	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Please defer my rates debt DUE DATE to:</td> <td style="width: 30%; text-align: center;"><i>(Write date here)</i></td> </tr> </table>	Please defer my rates debt DUE DATE to:	<i>(Write date here)</i>
Please defer my rates debt DUE DATE to:	<i>(Write date here)</i>		

DECLARATION

I / We declare that the information provided in this Financial Hardship Application is accurate and I will advise the Shire of Wiluna if there is any change to my / our financial circumstances.

Ratepayer 1 Signature		Date:	
Ratepayer 2 Signature		Date	