

# Hardship Policy

Policy Author	General Manager - Strategy and Corporate
Date of next review	August 2024

## 1. Statement of Intent

This policy reinforces the commitment of the Council to assist ratepayers and debtors experiencing financial hardship, with the aim of recovering council rates and charges in a fair and financially responsible manner.

Ratepayers should

- Be treated in a fair, equitable and respectful manner;
- Be offered mutually negotiated and agreed payment plans or extension of time to pay, that address arrears and ongoing rates charges;
- Have capacity to pay considered;
- Be offered Centrepay and direct debit payment options;
- Have debts to be paid within fair and reasonable timeframes;
- Receive empathetic, confidential and consistent assistance;
- Be offered referral to financial counselling and other services where required; and
- Be protected from legal action and additional costs while meeting their obligations.

## 2. Scope

This policy endorses consistent application of assistance for ratepayers seeking relief from rates and charges due to hardship or extenuating circumstances. Relief and assistance may be in the form of postponement or remission of rates, negotiated flexible debt repayment plans, or referring the ratepayer to see an accredited financial counsellor.

A ratepayer experiencing financial hardship is someone who is identified by themselves, by Council, by an accredited financial counsellor, or by a welfare agency, as having the intention, but not the financial capacity, to make required payments in accordance with Council's payment terms.

This policy also endorses appropriate and consistent action that meets delegation requirements, in relation to sundry debtors.

## 3. Legislation and References

This policy is to be read in conjunction with the:

- Hardship Procedure and Debt Recovery Procedure.
- *Local Government Act 1999*
  - Section 177 - advises that rates imposed on land are a charge on the land
  - Section 178 -advises that liability for the rates charged on the land is the principal

- ratepayer (owner)
- Section 182 - advises of Council's power to grant relief of rates due to hardship or extenuating circumstances by way of remission or postponement of rates.
- Section 182A - advises of Seniors Rates Postponement eligibility.
- Section 183 - determines the priority of which payments are to be allocated to ratepayer's debt.
- Section 184 - advises Council may sell the land if rates has been in arrears for three years or more.
- Fees and Charges Policy
- Fees and Charges Procedure
- City of Playford Global Glossary
- Debt Recovery Procedure

This Policy should not be considered as the only document that may relate to Hardship, other tiers of government, agencies or organisations may have legislation or policies that also apply.

## 4. Application

CEO	Facilitate support of Hardship Policy
Manager Rates	To oversee the consistent application of the Hardship Policy.
Rates Officer	To apply consistent delivery of the Hardship Policy to ratepayers.
Customer Contact Officer	To refer ratepayers experiencing financial hardship to the Rates Team where required.

## Relevance to Risk Appetite Statement

### Financial Sustainability

The City of Playford has a **LOW** appetite for short-term financial risk that adversely impacts financial cash flow.

### Reputation

The City of Playford has a **LOW** appetite for negative perceptions that compromise its credibility and reputation.

The Hardship Policy and Procedure ensures assistance supplied to ratepayers is in a financially and reputational responsible manner

## Feedback

Your feedback on this policy is invited and can be directed to the Manager Governance via email to [governance@playford.sa.gov.au](mailto:governance@playford.sa.gov.au) or by calling the Customer Contact Team on 8256 0333.

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### Administration use only

ECM document set no. 3936993

Version no.	3
Procedure link	Hardship Procedure, Debt Recovery Procedure
Policy author	General Manager - Strategy and Corporate
Endorsed by	Council
Resolution no.	5099
Legal requirement	N/A
Review schedule	2 Years
Date of current version	August 2022
Date of next review	August 2024

### Version history

Version no.	Approval date	Approval by	Change
1	June 2018	Senior Manager - Finance	New Policy
2	25 May 2021	Ordinary Council Resolution No. 4616	Scheduled Review
3	23 August 2022	Ordinary Council Resolution No. 5099	Scheduled review with longer review date and other minor revisions.

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