

FIN08	ADOPTED: 28.5.03	REVIEWED: 25.4.05; 25.4.07; 25.11.09; 28.11.12; 28.10.15; 28.11.18; 24.11.21
--------------	-------------------------	---

NON RENT DEBT RECOVERY POLICY

1.0 INTRODUCTION

- 1.1 This policy outlines how we will seek to prevent non-rent arrears, and how we will seek to recover such arrears when they occur.
- 1.2 The term 'non-rent arrears' includes rechargeable repairs, factoring accounts and any other sum owed to us that is not covered by rent or service charges.

For recovery of rent and service charges, see the Housing Management policy entitled Rent Collection.

- 1.3 This policy is supported by detailed procedures.

2.0 THE SCOTTISH SOCIAL HOUSING CHARTER

The Scottish Government's Social Housing Charter came into force in April 2012 and was updated in April 2017. The Charter sets out the standards and outcomes that tenants can expect from social landlords, in terms of the quality and value for money of the services they receive, the standard of their homes, and opportunities for communication and participation in the decisions that affect them.

The relevant standards and outcomes for the Non-Rent Recovery Policy are:

Outcome 2: Communication

Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

3.0 POLICY PRINCIPLES

- 3.1 Our primary aim is to prevent tenants, owners or other debtors falling into arrears with their non-rent debts. We shall seek to achieve this by:
 - offering a range of payment methods;
 - agreeing the most suitable payment method with tenants, owners and other debtors;
 - regular monitoring of non rent payments and early identification of new or increasing arrears.
- 3.2 Where non-rent arrears occur we will take the appropriate action(s) from the following range to achieve recovery:
 - advising tenants, owners or other debtors of their arrears as soon as possible;

- making and maintaining personal contact to discuss payment arrangements;
- issuing letters regarding non-rent arrears promptly;
- agreeing realistic payment arrangements, so that payment does not result in other debts being incurred;
- where debtors ignore both a 14 day sundry overdue letter and a 7 day follow-up letter, arranging for a lawyer's letter to be issued warning of possible legal action;
- referral to a debt recovery agency for action where appropriate;
- in serious cases, taking court action for recovery of the amount owed.

3.3 In the case of tenants with non-rent arrears we will also advise them that:

- non payment of rechargeable repairs may result in no future rechargeable work being carried out until the debt is paid;
- the existence of arrears could affect future housing requests.

4.0 MONITORING OF ARREARS

4.1 Finance staff will review non-rent arrears at least monthly and will agree the action to be taken in each case.

4.2 A 6-monthly report as at 30 September and 30 March will be prepared for the Finance Manager highlighting serious cases of arrears in excess of £1,000.

4.3 The Quarterly Management Accounts presented to the Management Committee will include the following information:

- the level of non-rent arrears;

4.4 Where it is deemed that arrears will not be recoverable or are in doubt, a report will be submitted to the Management Committee each February recommending either write-off or adjustments to the provision for doubtful debts.

5.0 IMPLEMENTATION AND REVIEW

5.1 The Finance Manager is responsible for ensuring that this policy and the supporting procedures are implemented.

5.2 The Finance Manager will ensure that this policy is reviewed by the Management Committee at least every 3 years.

Reviewed by the Management Committee on 24 November 2021

Next review due by: November 2024

PROSPECT EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy/	Non Rent Recovery
Department	Finance
Who is involved in the EQIA?	Colin James
Is this new policy or revision to an existing policy?	Revision
Date completed	8 November 2021

Screening Summary

Policy Aim

This policy guides us on how we set out recover non-rent debts and the aspects taken into account when carrying out this process.

The Scottish Social Housing Charter Outcome

- 2: Communication

has a direct influence on this policy

Who will it affect?

Protected characteristics	Affected by policy
Age	Yes
Disability	Yes
Sex	Yes
Pregnancy and maternity	Yes
Gender Reassignment/Sexual Orientation	Yes
Race/Religion/Belief	Yes

Some of our tenants, as well as some of our factoring owners, are affected by our approach to non-rent arrears prevention and control.

What might prevent the desired outcomes being achieved?

This policy is only achieved through effective arrears management.

Stage 1: Framing

Confirm whether EQIA is required

A full EQIA is required as this policy impacts directly on some of our tenants and factoring owners.

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	Breakdown of age of tenants only	Tenant Satisfaction Survey 2019.	Becoming out of date. Cx allows us to more easily gather equalities information on our tenants.
DISABILITY	Data showing those tenants who identified themselves as having a disability.	Tenant Satisfaction Survey 2019.	This could constantly change. Cx allows us to more easily gather & update equalities information on our tenants.
SEX	Breakdown of sex of tenants only	Tenant Satisfaction Survey 2019.	
PREGNANCY AND MATERNITY	No information available		
SEXUAL ORIENTATION & GENDER REASSIGNMENT	Data showing those tenants who identified their sexual orientation and gender reassignment	Tenant Satisfaction Survey 2019.	
RACE, RELIGION OR BELIEF	Breakdown of Race, religion or belief as identified by tenants only	Tenant Satisfaction Survey 2019.	This could constantly change. Cx allows us to more easily gather & update equalities information on our tenants.

Stage 3: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	Reasons for your decision	How will you demonstrate positive and mitigate negative impact
Eliminating unlawful discrimination, harassment and victimisation	Yes		A proactive and comprehensive approach to arrears control will ensure all tenants and factoring owners are appropriately informed.	By monitoring arrears trends and identifying if a disproportionate number of older or younger people are in arrears. We can use this information to target or amend our approach accordingly.
Advancing equality of opportunity	Yes		We undertake a personal approach to arrears management in combination with the standard process. This means we will use the approach which works best with the tenants – i.e. home visit, text, letter etc.	By offering home visits, which may be preferable to phone calls or letters for older or younger people.
Promoting good relations	Yes		Our approach to arrears controls is easily explained which assists to promote good relations.	Ensure information provision is in a format which is understandable and accessible. We develop this with tenant input, including older or younger tenants.

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	Reasons for your decision	How will you demonstrate positive and mitigate negative impact
Eliminating unlawful discrimination, harassment and victimisation	Yes		A proactive and comprehensive approach to arrears control will ensure all tenants and factoring owners are appropriately informed.	By monitoring arrears trends and identifying if a disproportionate number of disabled people are in arrears. We can use this information to target or amend our approach accordingly.
Advancing equality of opportunity	Yes		We undertake a personal approach to arrears management in combination with the standard process. This means we will use the approach which works best with the tenants – i.e. home visit, text, letter etc.	By offering home visits, which may be preferable to phone calls or letters for disabled people.
Promoting good relations	Yes		Our approach to arrears controls. It is easily explained which assists to promote good relations.	Ensure information provision is in a format which is understandable and accessible. We develop this with tenant input, including disabled tenants.

Do you think that the policy impacts on men and women in different ways?

Sex	Positive	Negative	Reasons for your decision	How will you demonstrate positive and mitigate negative impact
Eliminating unlawful discrimination, harassment and victimisation	Yes		A proactive and comprehensive approach to arrears control will ensure all tenants and factoring owners are appropriately informed.	By monitoring arrears trends and identifying if a disproportionate number of men or women are in arrears. We can use this information to target or amend our approach accordingly.
Advancing equality of opportunity	Yes		We undertake a personal approach to arrears management in combination with the standard process. This means we will use the approach which works best with the tenants – i.e. home visit, text, letter etc.	If this approach is successful, we should see that our arrears control is effective.
Promoting good relations	Yes		Our approach to arrears controls is easily explained which assists to promote good relations.	Ensure information provision is in a format which is understandable and accessible. We develop this with tenant input.

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	Reasons for your decision	How will you demonstrate positive and mitigate negative impact
Eliminating unlawful discrimination, harassment and victimisation	Yes		A proactive and comprehensive approach to arrears control will ensure all tenants and factoring owners are appropriately informed.	By monitoring arrears trends and identifying if a disproportionate number of men or women are in arrears. We can use this information to target or amend our approach accordingly.
Advancing equality of opportunity	Yes		We undertake a personal approach to arrears management in combination with the standard process. This means we will use the approach which works best with the tenants – i.e. home visit, text, letter etc.	If this approach is successful, we should see that our arrears control is effective.
Promoting good relations	Yes		Our approach to arrears controls is easily explained which assists to promote good relations.	Ensure information provision is in a format which is understandable and accessible. We develop this with tenant input.

Do you think your policy impacts on transsexual people or on people because of their sexual orientation?

Sexual Orientation/ Gender Reassignment	Positive	Negative	Reasons for your decision	How will you demonstrate positive and mitigate negative impact
Eliminating unlawful discrimination, harassment and victimisation	Yes		A proactive and comprehensive approach to arrears control will ensure all tenants and factoring owners are appropriately informed.	By monitoring arrears trends and identifying if a disproportionate number people in this equality group are in arrears. We can use this information to target or amend our approach accordingly.
Advancing equality of opportunity	Yes		We undertake a personal approach to arrears management in combination with the standard process. This means we will use the approach which works best with the tenants – i.e. home visit, text, letter etc.	If this approach is successful, we should see that our arrears control is effective.
Promoting good relations	Yes		Our approach to arrears controls is easily explained which assists to promote good relations.	Ensure information provision is in a format which is understandable and accessible. We develop this with tenant input.

Do you think the policy impacts on people on the grounds of their race, religion or belief?

Race/ Religion/ Belief	Positive	Negative	Reasons for your decision	How will you demonstrate positive and mitigate negative impact
Eliminating unlawful discrimination, harassment and victimisation	Yes		A proactive and comprehensive approach to arrears control will ensure all tenants and factoring owners are appropriately informed.	By monitoring arrears trends and identifying if a disproportionate number people in this equality group are in arrears. We can use this information to target or amend our approach accordingly.
Advancing equality of opportunity	Yes		We undertake a personal approach to arrears management in combination with the standard process. This means we will use the approach which works best with the tenants – i.e. translated letters, language line, home visit, text, letter etc.	If this approach is successful, we should see that our arrears control is effective.
Promoting good relations	Yes		Our approach to arrears controls is easily explained which assists to promote good relations.	Ensure information provision is in a format which is understandable and accessible. We develop this with tenant input.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

If, following the impact analysis, you think you have identified any unlawful discrimination – direct or indirect - you must consider and set out what action will be undertaken to mitigate the negative impact.

Have positive or negative impacts been identified for any of the equality groups?	Yes – positive impacts for all groups.
Is the policy directly or indirectly discriminatory under the Equality Act 2010?	No
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	n/a
If not justified, what mitigating action will be undertaken?	n/a

Describing how Equality Impact analysis has shaped the policy making process

Ongoing review of those in arrears helps to identify if there is overrepresentation in any one equality group. If any of the groups are over represented we will review the arrears approach to find a more effective form of arrears control for this group.

Monitoring and Review

This policy and EQIA will be reviewed every 3 years.

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, sex, pregnancy and maternity, gender reassignment, sexual orientation, race and religion or belief have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes No

Declaration

I am satisfied with the equality impact assessment that has been undertaken for the Non Rent Recovery Policy.

Name: Colin James

Position: Finance Manager

Authorisation date: 8 November 2021