
POLICY TITLE FINANCIAL HARDSHIP POLICY

POLICY NUMBER CPOL/CORP234

1. POLICY STATEMENT

This policy applies to customers who are experiencing difficulties with paying their rates and charges or debtor accounts. Swan Hill Rural City Council defines a customer experiencing hardship as someone who is willing but unable to pay their rates/debtors as a result of financial difficulties.

This policy ensures that regardless of their circumstances our community will face no judgement, and will be treated with understanding, dignity and respect. Financial hardship assistance will help reduce additional penalties and costs that are being incurred by those in the community that can least afford them.

Council is committed to continual improvement through our learning, working with our partners and experts in the field of financial vulnerability. This policy also recognises that family violence is a serious issue that poses substantial risk to the health and wellbeing of our community. Swan Hill Rural City Council is committed to effectively supporting customers who may be experiencing family violence, either directly or indirectly.

2. PURPOSE

The purpose of this Financial Hardship Policy is to provide Council with a Policy framework setting out the process of providing financial relief to individuals and businesses requiring assistance in the payment of rates and charges or debtor accounts on the grounds of financial hardship.

3. SCOPE

This Policy applies to all property owners, rates payers and debtors of the Swan Hill Rural City Council who have been identified, either by themselves, Swan Hill Rural City Council or by an independent accredited financial counsellor as having the intention to pay their rates/debtors but do not have the financial capacity to make the required payments.

This policy shall apply to revenue included on the rates notice, such as rates, waste charges, interest and other relevant charges along with debtor accounts. It is important to note that this policy does not apply to fines issued under Council's Local Laws or any other Act.

In the implementation of this policy, due consideration will be given to determining the type of payment arrangement that is best suited to each property owner's/debtor's individual circumstance and the need to observe compassion, respect and transparency in the assessment of financial hardship applications.

4. DEFINITION

Hardship may be defined as short term or ongoing in duration. Swan Hill Rural City Council appreciates that every customer's situation is different. Payment arrangements and/or assistance options offered to each customer is based on their specific circumstances and capacity to pay. Customers will be offered a range of tailored assistance options to address their circumstances.

Customers will be encouraged to make a regular payment arrangement so that bills can be paid in smaller more manageable amounts. Our payment arrangements are flexible and can be renegotiated when customers' circumstances change.

5. POLICY

Swan Hill Rural City council encourages customers who are struggling financially to contact us either personally or through a third party, such as a financial counsellor or a welfare agency.

Assistance provided under this Policy is available to any person, business or group who have a financial obligation to Council in relation to rates/debtors. The following will be considered when assessing granting assistance under this policy:

- the applicant has displayed a history of attempting to pay the debt to Council;
- the applicant has initiated contact with Council to discuss the debt;
- the applicant is experiencing exceptional circumstances impacting their ability to meet their financial obligations to Council. This could be wide and varied and will be considered on a case by case basis;
- the applicant is experiencing any of the identified compassionate grounds as follows;
 - a. **family violence** – when a person has reported being a victim of family violence;
 - b. **pandemic** - Significantly impacted from a pandemic including unemployment or illness;
 - c. **medical treatment** - when a person needs to pay for medical treatment for themselves or a dependant;
 - d. **mortgage assistance** – when a person needs to prevent their home from being sold by a lender;
 - e. **modification to your home or motor vehicle** - in the case of a disability a person needs to modify their home or vehicle to accommodate their own needs or the needs of a dependant;
 - f. **palliative care** – when a person needs to pay for palliative care;
 - g. **funeral expenses** - when a person needs to pay expenses associated with a funeral;
 - h. **natural disaster** – when a person attends to emergency spending caused by a natural disaster eve
 - i. **low income** – as defined by Services Australia, for example a customer eligible for a Government funded concession;
 - j. **other** – another reason as approved by an Authorised Officer of Swan Hill Rural City Council

Council will consider all applications for Financial Hardship, made in writing on the Financial Hardship Application Form, in a respectful, compassionate, fair, sensitive and confidential manner. Council will also ensure all details are managed with the highest degree of privacy and sensitivity.

Financial Hardship Application Forms are available from Council offices or on Council's website and can be lodged:

In person 45 Splatt Street, SWAN HILL
 72 Herbert Street, ROBINVALE

Email council@swanhill.vic.gov.au

By post Chief Executive Officer
 PO Box 488
 SWAN HILL VIC 3585

All applications are assessed on a case by case basis. The information requested to support an application will be commensurate with the level of support being sought.

Where appropriate Council will refer customers to relevant counselling services for assistance.

Swan Hill Rural City Council's goal for customers experiencing hardship is to help them with their needs and to provide support through our hardship application. It is not Council's policy to provide financial support.

Decisions made on applications are subject to review by the Chief Executive Officer.

6. NON COMPLIANCE WITH AGREED OBLIGATIONS

Customers who do not adhere to their agreed obligations will be contacted and managed in accordance with regulatory obligations under the Local Government Legislation Amendment (Rating and Other Matters) Act 2022.

7. RELATED POLICIES/DOCUMENTS

POL/CORP204 Debt Collection Policy
Financial Hardship Application Form
Financial Hardship Application - Appeal Form
PRO/CORP234 Financial Hardship Procedure

8. RELATED LEGISLATION

Local Government Act 1989
Local Government Act 2020
Local Government Legislation Amendment (Rating and Other Matters) Act 2022

9. DOCUMENT HISTORY

Version Number	Issue Date	Description of Change
1.0	November 2014	Initial release
1.1	December 2015	Review
1.2	April 2019	Review
2.0	April 2023	Review

Signed: Les McPhee Mayor Date: 26/04/2023