

The Wolf at the Door

How council tax
debt collection is
harming children

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The
Children's
Society



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The Debt Trap

End the damage to children

1.6 million children live
in families who have
faced council tax debt.

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Methodology

The findings in this report come from original analysis of data from three sources:

1. Polling of around 4,500 UK parents, conducted by Research Now. 450 families and their children completed the full survey and have been in council tax debt now or in the past. The survey gathered information from both a parent and a child (aged 10-17) in these cases.

We defined being in debt on your council tax as meaning:

- being behind with payments by 2 or more months; or
- having lost the ability to pay council tax by instalments; or
- still owing money on last year's council tax.

The statistics relating to enforcement practice and impact of council tax debt come from the 450 families who have experienced council tax debt now or in the past.

2. Interviews with six families living in council tax debt. For three of these families a child over 10 in the household was also interviewed. We also used data from two interviews with care leavers in council tax debt and a focus group with five care leavers.
3. A freedom of information (FOI) request sent to all billing local authorities in England. We received 240 responses to our request (147 from lower tier councils and 93 from upper tier councils) from a total of 326 collecting authorities.

Acknowledgments

Our thanks go to those families and young people who shared their experiences of living in council tax debt – your insights have been central in shaping our findings and recommendations. In particular thanks go to StepChange Debt Charity for enabling us to interview their clients and The Children's Society projects in Cheshire, Lancashire, Newcastle and the Isle of Wight.

This report would not have been possible without the initial research and absolute dedication to detail provided by our Policy and Parliamentary intern Adjoa Abekah-Mensah. We are grateful to Sorcha Mahony and Dorothea Muller for interviewing families and other colleagues at The Children's Society who commented, advised and designed the report.

The Debt Trap
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Chapter 1: Introduction



Families can fall into debt for a number of reasons¹, and many parents who find themselves in debt feel using credit is the only option they have to maintain an adequate standard of living and provide the very basics for their children. But the cost of keeping up with credit repayments places further pressure on household budgets. This can lead to a debt trap, which is very difficult to escape and has damaging consequences for the health and happiness of children and young people.

For families with dependent children, the situation is likely to be worse. The presence of children is overwhelmingly associated with a greater likelihood of financial difficulties, regardless of whether children are being brought up by one or two adults. Far from being immune to this, we have shown how the presence of debt in a household can have a direct effect on children.

One of the primary and priority debts that families can face is when they have fallen behind on paying their council tax. For many families, council tax arrears are the result of several factors combined – driven principally by demands for full annual payment just seven days after a first reminder following a missed payment, which can be hundreds of pounds. Council tax arrears can be a particular problem for families already struggling to maintain the everyday costs of supporting children.

Councils, of course, have a duty to reclaim council tax payments, but this new report reveals the lack of available advice and support for families struggling with council tax arrears, and the damaging practices employed by many councils, which drive families further into debt and impact directly on children and teenagers. For many families, the localisation of council tax benefit resulted in them being asked to pay council tax whilst living on an income below the poverty line. Research from the Institute for Fiscal Studies (IFS)² 'has shown that following a 10% cut worth £414m in central government funding and support protected for pensioners, many low-income working age families were paying council tax for the first time.'

This has resulted in an increased number of children living in families that are in council tax debt, and therefore experiencing the consequences of this as the problem escalates, for example bailiffs knocking on the door, or seeing a reduction in their benefits or earnings due to the debt collection method employed by their local authority.

For many families a missed payment is exacerbated by how soon they lose their right to pay their bills by monthly instalments, and the cost of being taken to court and referred to bailiffs, which is passed directly on to them. For families caught in a debt trap, this forces them further into a downward spiral with a series of

incurred costs they are unable to afford. Over half of the families we surveyed have borrowed money to pay their council tax bill and eight in 10 families responded to council tax debt by cutting back on essentials, such as food or heating.

Impact on children, young people and families

Last year, The Children's Society and StepChange Debt Charity revealed how problem debt is having a profound impact on children's lives, causing them stress, depression and anxiety. Parents in debt told us that council tax arrears and insufficient access to debt advice were key problems for them. Four in 10 families also told us they found their local council 'not helpful at all' or 'extremely unhelpful' when discussing their debts. This was higher than all other creditors – such as payday lenders and energy companies – and extremely worrying given the councils' role to protect the most vulnerable residents in their local community.

As a result we decided to investigate this issue, and this report presents new evidence on the key issues facing families struggling with council tax arrears, who have been exposed to damaging debt collection practices.

There are 1.6 million children living in families who have faced council tax debt, with two in 10 families

visited by bailiffs to reclaim council tax. This equates to thousands of children experiencing fear, intimidation and worry at the hands of bailiffs.

How local authorities treat families in council tax debt

We found that many local authorities are failing to provide sufficient support and advice to families struggling with council tax debt by using damaging debt practices. This leaves families worrying about potential bailiff visits and court summons, which has a damaging impact on children's and parents' emotional and physical health.

It is too often the case that families desperately struggling to make ends meet are not getting the opportunity to negotiate affordable repayments, and local authorities aggressively pursue repayments or take out liability orders which hang over families for months whilst they are on repayment plans.

No child should be made to grow up in a home where they are scared of bailiffs coming round or having goods removed from their house. Over half of parents visited by bailiffs tell us their children were present in the house every time or most of the time and children who have been visited by a bailiff are over three times more likely to hold back from asking their family for things because they worry they would struggle to afford them.

Joined-up action is needed from local authorities, central government and the Local Government Association to ensure that there is a measurable reduction in the impact that council tax debt has on children and young people.

This report calls on local authorities to do more to support families struggling with council tax debts and recognise the additional vulnerability that families with children and young people living independently for the first time face if they fall behind with their bills. Together we can end the damaging impact that debt can have on children's lives.

'Yes, people come in and take things, they've tried taking off my neighbours up there because they haven't got enough money to pay their bills either'

Child, aged 12

900,000 families who have faced council tax debt. Amongst those currently in council tax debt, the average debt is about

£420

Karen's* story

Karen lives in a small three-bedroomed semi-detached house with her daughter. Her marriage broke down a few years ago following a family bereavement, but they have lived in the house for longer than this. She works full time receiving a monthly wage and is in receipt of child benefit, but this is not sufficient to protect her from the multitude of bills that she faces, including council tax and energy bills.

For a long time, Karen kept up repayments on her mortgage, was up-to-date with her gas and electric bills, but as a result of a family death her relationship broke down and Karen started to struggle with her mental health and found it harder to cope. Over time she fell behind on her council tax, and had bailiffs coming to the door trying to recoup the money she owed. Karen described how the council refused to understand the circumstances she had found herself in. The looming council tax debt led to her having to get a credit card to try and pay it off.

She was given three months to find almost £1,000, which she couldn't afford to do. Despite trying to pay off an amount that she could manage, she was instructed that it needed to be a higher repayment. The result of this was that the local authority took out an attachment of earnings order and took repayments from her wage.

The council tax debt plunged Karen further into a downward spiral, as she then went on to miss

payments on her energy bills that resulted in her having a pre-payment meter installed at her home. She then had to move in to her parents' home for a short period of time due to being unable to afford to top up the meter. She feels that her creditors didn't show sufficient understanding about her family circumstances, despite her telling them that she was prepared to go forward with a debt management plan.

Karen's story exemplifies how councils often do not take into account the situation of distress and despair that families can sometimes find themselves in. It also shows how quickly council tax debt can turn into enforcement action and the unforgiving practices that some local authorities employ. Prior to falling behind on her council tax, she had kept up repayments for almost a decade, but in a short space of time was faced with bailiffs at the door, court costs and a debt that had almost doubled due to these added costs.

The unwillingness of the local authority to negotiate an affordable repayment plan was an added stress for an already distraught family. Karen still worries about what will happen if she misses a council tax payment, and that they are going to do the same again and take her to court. This stress has compounded Karen's mental health difficulties, which she has been unable to hide from her daughter.

Chapter 2: Headline recommendations for councils

Do not engage bailiffs for collecting council tax debt for families with children. This is particularly important for the most vulnerable families.

We would urge local authorities to protect children by not sending bailiffs round to families with children. Our research has shown that using bailiffs has a particularly damaging impact on the emotional health and well-being of children.

Also, using bailiffs incurs an additional cost for families that are already struggling. As such, we recommend that local authorities prefer alternative collection policies that are available to them, putting in place affordable repayment plans for families.

The most vulnerable residents and those living on a low income could be protected by adopting a policy of not engaging bailiffs for those families in receipt of council tax support.

Place accounts on hold for 21 days when households with children fall into arrears for the first time, to enable the resident to obtain the necessary advice.

Just 14 days after missing a council tax payment, court proceedings can begin against families. Many families often find themselves in court or being visited by a bailiff with little time to seek independent advice and support.

Councils should operate a scheme whereby a family that falls behind on their council tax can ask for their account to be placed on hold for 21 days so that they can speak to independent advice agencies about dealing with their debts. This should be available to all families at any point in the enforcement process.

Make care leavers eligible for council tax exemption until the age of 21.

Each local authority has a duty of care to care leavers. We believe that to ensure that the transition from care to adult life is as smooth as possible, and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, they should be exempt from paying council tax until they are 21. This is an issue that must be decided at a national level so, as an interim measure, we would suggest that local authorities make this group eligible for 100% council tax support until they turn 21.

Always allow families or young people to negotiate repayments – even when the debt has been referred to an enforcement agency.

Our research showed that too often families with children lost the ability to negotiate an affordable repayment plan when they fell into arrears on their council tax and particularly when the bill had been referred to enforcement agents. This leaves them in a position whereby they are liable to pay the whole year of council tax in one lump sum, which for families who are vulnerable and financially insecure is very stressful, and unrealistic, often plunging families further into debt.

As such, we recommend that all local authorities give vulnerable families the opportunity to negotiate a repayment rate that is affordable and realistic, even when the matter has been referred to an external agency, in line with Government guidance.

Eve's* story

Eve is a survivor of domestic violence, walking out on her husband when her youngest child was just 2 years old with just a suitcase of clothes.

After a period in a refuge Eve and her three children moved into a flat of their own. Eve's job never covered all her bills and she soon fell into arrears on council tax, quickly receiving a court summons. Unlike many people, Eve attended the court hearing so she could explain her situation and it was agreed she would pay £10 a month. Eve spoke about how she thought it was particularly harmful that she had to pay for court costs given that there was no judge and she felt that she was not listened to. Despite keeping up with her agreed payments, the council applied for an attachment of earnings, confiscating a fifth of her income without anything more than a letter – that Eve didn't receive until after the money had started coming out of her wages.

For a while, Eve could not afford food, and relied on food parcels for her and the children, but still, they often went hungry. Eve was visited twice by bailiffs, but living in a furnished rented flat, the only thing they could have taken would have been clothes off her and the children. At this point, Eve was suffering from mental health difficulties, and she was so distressed by the situation that she even contemplated suicide, thinking her children would be better off without her. Luckily, StepChange Debt Charity, who Eve had sought advice from earlier, put her in touch with the Samaritans, who helped her through.

Eve then moved out of her flat and in with a friend as she couldn't afford the rent any longer. Now, she is slowly repaying her debts, but she thinks it will take another year before they are cleared. She is cautiously looking forward to the future.

George's* story

George is Eve's eldest son, aged 11, and witnessed a lot of the abuse, needing counselling and support in the aftermath.

George struggled with his anger, becoming very angry at school. He has settled down a lot now, but as a result of this, Eve tries very hard to keep her financial worries from him to make sure that he does not get stressed again. Despite this, George did notice certain things - he described how, before they moved, he was often hungry at night but knew his mum could not do anything to help their situation because they did not have enough money in the house, and he knew in general that they did not have much money as a family, and that there were a lot of things he couldn't have.

Chapter 3: The scale of council tax debt



Based on our survey findings an estimated 1.6 million children are living in 920,000 families who have faced council tax debt. These families face a constant struggle to keep up with their council tax bills, with many of them paying council tax for the first time because of changes to council tax support.

There are many reasons why families fall into debt – such as family emergencies, illness and redundancy. Often a change in circumstances can mean families and young people start to struggle with their council tax and very quickly can find themselves in court. Half of the families we surveyed said that changes to employment or earnings contributed to them getting into council tax debt, and a third of families said changes to council tax support or other benefits was a key contributing factor.

'They cancelled the direct debit that I had for going out [the council tax], and they didn't tell me, so I spent that money cause I thought it had gone out and then they told me that it hadn't gone out. So I got a bill for £150 in one month. And... they wouldn't reinstate the direct debit or anything.'

Care leaver, age 19

As a priority bill the enforcement measures available to councils to collect unpaid council tax are severe, which at its most extreme can result in a committal to prison. Our research found that

over 3,500 committals to prison proceedings were started in 2013/14 for unpaid council tax bills³, although this is only for those councils that responded to our freedom of information request, meaning the real number is likely to be much higher. What

can start out for many families as falling slightly behind can very quickly escalate to a court summons and enforcement action being taken against a family. This leads to children being frightened, scared and confused in their own home.

Over half of families in council tax debt have

**borrowed
money
to pay their bill**

Changes to council tax support

Since 1 April 2013, local authorities in England have been responsible for running their own local schemes for help with council tax. These are called Council Tax Reduction schemes and replaced what was known as council tax benefit. They are also sometimes known as **Council Tax Support**. Councils can now choose how to implement these schemes following a 10% cut applied by central government.

Council Tax Support may be:

- a discount worked out as a percentage of your council tax bill
- a discount of an amount set out in the scheme
- a discount equal to the whole amount of the council tax bill – so that the amount payable is nil.

It's likely that most people will have to pay something towards their council tax bill – even if they were getting full Council Tax Benefit before 1 April 2013. The government has said that when deciding on its scheme, a local authority should take into account the needs of vulnerable people and support work incentives.

Reduced support for families with their council tax

Since the changes to council tax support took place in April 2013 many families have become liable for council tax payments for the first time, even if they are only small, and this provided a shock to the finances of low-income families which many have struggled with. From April 2013 Council Tax Benefit was replaced by localised Council Tax Support schemes and for many families struggling with household bills this has pushed them into arrears. More than three in 10 of the families we surveyed (34%) who have been in council tax debt have received some form of council tax support in the last two years. Of these families, 63% have

seen a reduction in the amount of support that they receive in the last two years. More than half of all families surveyed (53%) have had a demand notice for late payment of council tax in the last two years.

The LGA found⁴ that only 45 out of 326 councils continue to provide the same level of discount that was available under the old scheme. Their research showed that among those local authorities who introduced a minimum payment higher than 8.5% in 2013/14, over half (53%) estimated that their scheme had caused a drop in their collection rate in that year. This provides a clear indication that low income families need greater support and advice when paying council tax and that councils should review their collection practices

to support many vulnerable residents and their children who are paying a new bill for what may be the first time.

'They still pay some, but they don't pay all of it. We have got to pay the excess on top of our arrears.'

Dad in council tax debt

'We get council tax benefit but we have to pay £250 a year council tax now. Now they've brought all these new things out and it is a big chunk of money out of our budget.'

Mum living in debt

'Yes I don't dispute that I owed the money, like I said, you know, but it was the way they took it, and there was no, nothing that they would discuss, no you owe it.'

Mum in council tax debt

'But there are some very, very vulnerable people out there... that have got bailiffs knocking on their doors within weeks of getting the first letter'

Mum in council tax debt

There were
1.3 million
referrals
to bailiffs
for council tax debt in 2013/14

Billy's* story

Billy moved to the UK in 2012 with his wife and son. He lives in private rented accommodation, but was not aware of his rights when he first moved to the country, and didn't sign a proper contract, which soon resulted in him facing a council tax bill for a whole year.

Billy is in low paid work which is unreliable and income isn't consistent month to month. His income barely covers the monthly outgoings for the household.

He is currently up-to-date for this year's council tax payments, but for the one year he didn't pay he is facing arrears of £1,000. This was only discovered after 12 months when he made an application for housing benefit.

When he first found out about the arrears, he had no idea what council tax meant. He has been negotiating with the council about the overall debt and has managed to cut it down from £1,000 to £700. They have asked for him to pay this in instalments of £70 a month, which is more than he can afford.

He told us that the council didn't ask whether he had enough money to pay or what his financial or family situation was. They just told him what his repayments needed to be and then sent him a letter with this information. When he applied for housing benefit, they also did not mention that he would have to pay council tax, or back pay it for last year – the first he heard about this was the bill.

Billy thinks it will take maybe three years to clear the debt. He previously managed to pay five instalments, but then he stopped when winter came because his energy bills became more expensive and he couldn't keep up. He's paying £70 a week for his gas alone because the house he lives in is very poorly insulated, and he pays a high tariff because he has a gas meter.

The stress of living in debt has started to have a negative impact on his health. He is still worried about the past bill and knows that he will get a new bill next year that will continue to make repayments difficult. He also tries really hard to make sure that his son does not find out about his money worries, which adds to the stress. Luckily for Billy, staff from The Children's Society started to work with him and explained the nature of benefits and the need to pay council tax. This has helped him to understand the way council tax works and the need to prioritise the bill.

Chapter 4: Council practices of debt collection



The growth in council tax arrears and families falling behind on their council tax bills has been significant in the past few years, particularly following the localisation of council tax benefit and councils putting in place local council tax support schemes. More than one in 10 families have faced council tax debt, with the average debt being over £400. In the past three years the number of households falling behind on their council tax has increased by over 25%.

The number of families struggling with their council tax is mirrored by the growth in families seeking advice when their bills reach an unmanageable level. StepChange Debt Charity has seen the proportion of clients with council

tax arrears increase from less than 10 per cent in 2009 to over 25 per cent in 2013.⁵ Between July and September 2014 Citizens Advice reported a further increase in clients presenting with council tax debt, accounting for 12% of all debt issues.⁶

Over two thirds of families we surveyed said they suffered with anxiety, stress or depression associated with their council tax bill. One of the main concerns was how quickly a missed payment can escalate. After just 14 days of falling behind, families can find themselves summoned to court, liable for extra charges and having enforcement action – such as bailiffs knocking at the door – started against them. The table below shows the measures

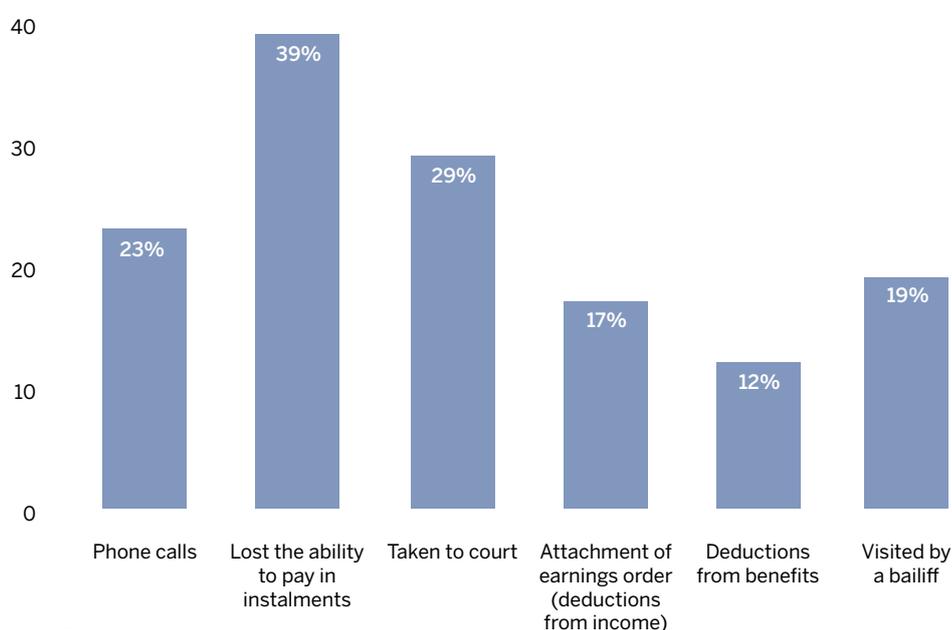
councils have taken against families who have fallen behind on their council tax.

This situation is now affecting more and more families across the country. Between 2012/13 and 2013/14 the number of court summons has risen by a third, rising to almost two million in the last financial year.

'I was late making a payment and they sent me a reminder letter and they said if they had to send me anymore reminder letters then I have to go to court and they stopped my instalments. I got really worried and really panicky because I didn't understand, I didn't want to go to court'

Care leaver, age 21

Figure 1: Proportion of families in council tax debt facing different enforcement measures



'But from that it went to a summons almost within weeks, and then I had charges, and then they went and took the money out of my money [wages]'

Mum in council tax debt

Once a household is taken to court over their unpaid council tax the council applies for a liability order against the household. This liability order allows the council to start recouping the council tax owed to them. This can be done in a number

of ways including bailiffs sent round to houses with children and money being taken directly from your benefits or your salary. The council tax enforcement process is shown in detail in figure 3. It sets out the enforcement timetable that local authorities are able to follow. This is not to say that every local authority progresses at this pace, but rather that this is the fastest that proceedings can happen.

'But again, all those [court costs they] slam on you. I don't believe I would have owed half of it if it wasn't for all those court costs.'

Mum with two children aged 16 and 6 living in council tax debt

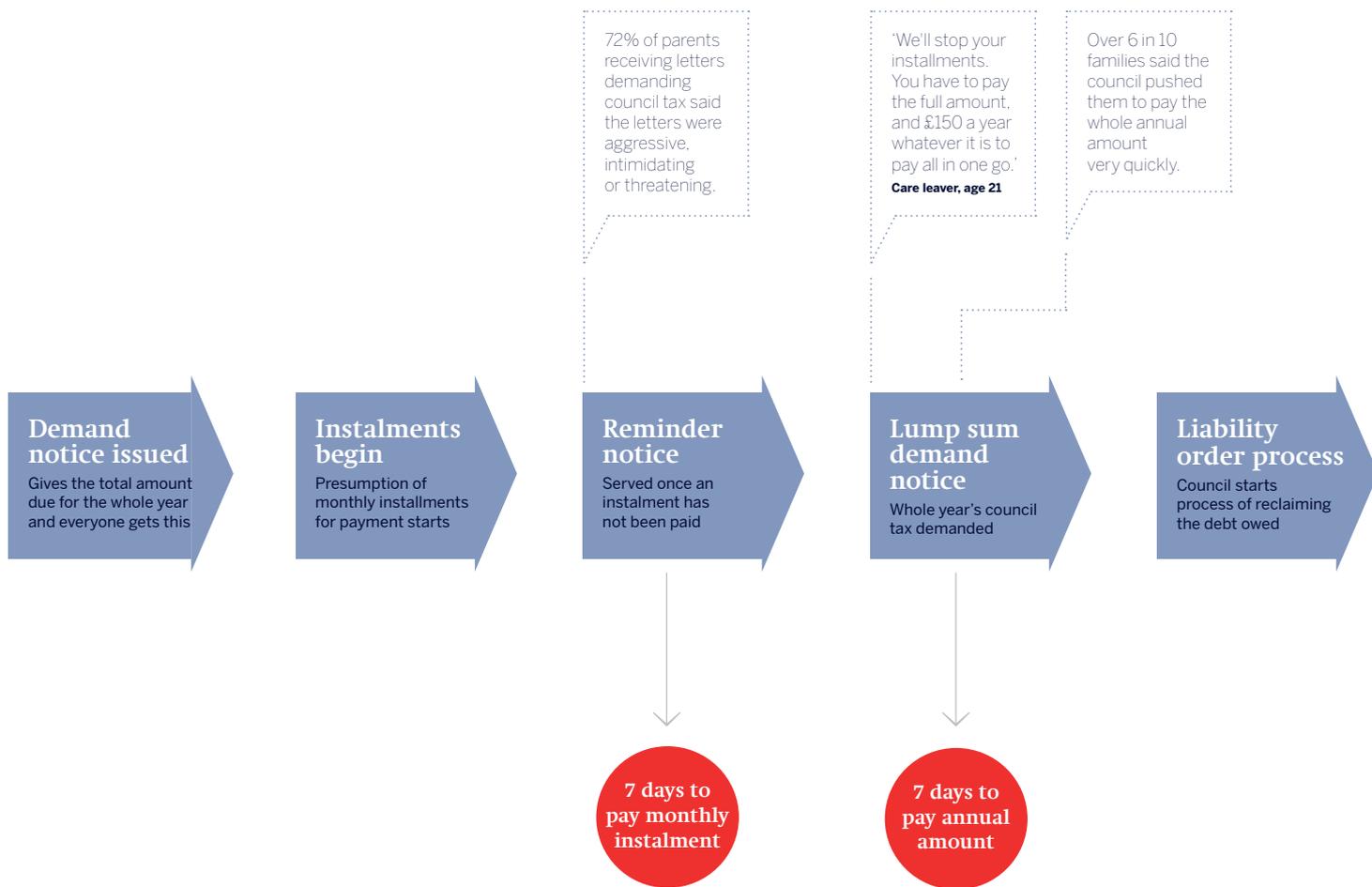
Figure 2: Court summons for council tax debt

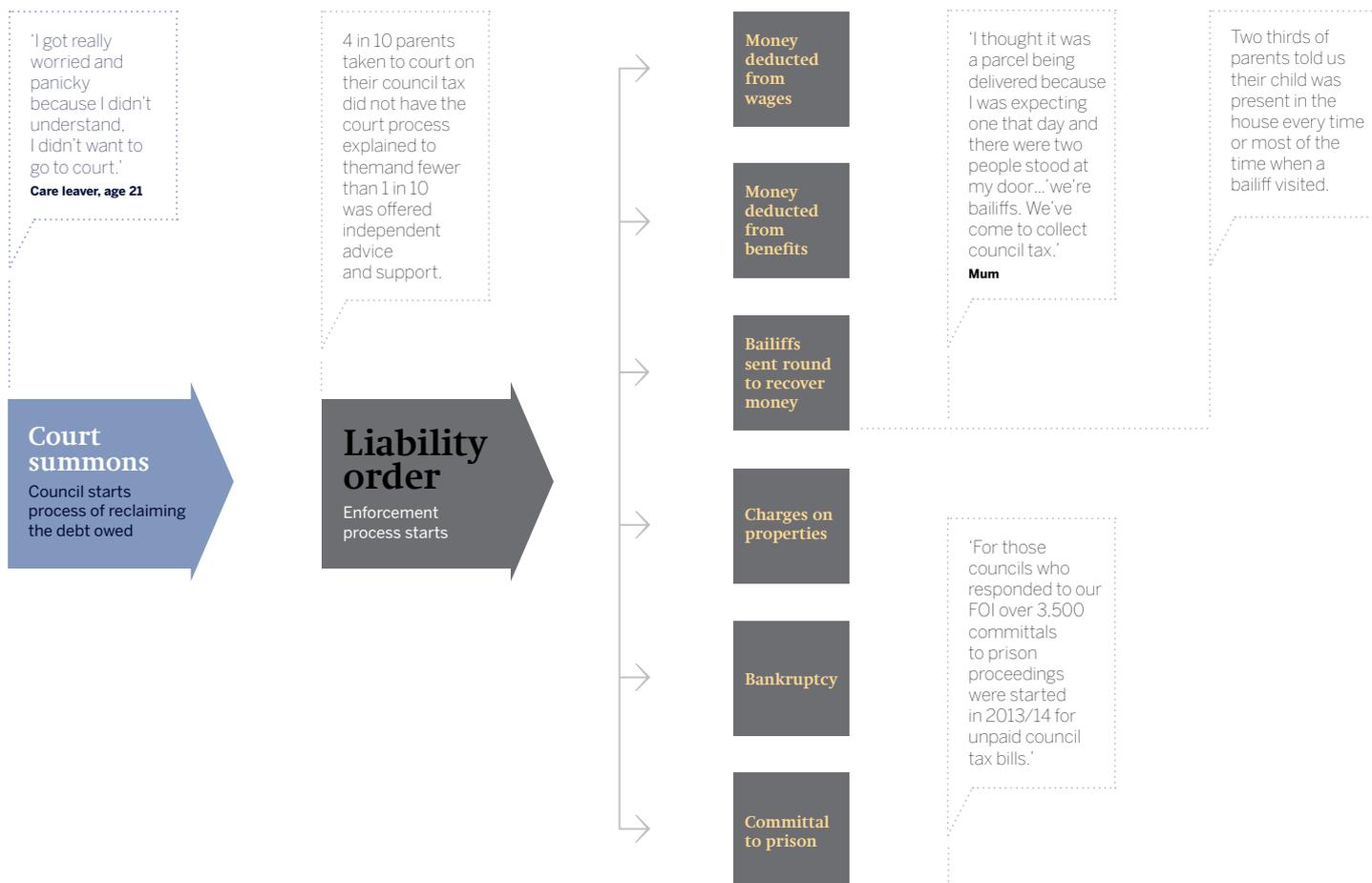


This table is a national estimate for England based from Freedom of Information responses from 187 local authorities

Two thirds of parents
said they believed their
children had been frightened,
sad or worried as a result
of a bailiff visit.

Figure 3: Council tax enforcement process





Enforcement methods used by councils

For many families the enforcement route chosen by their local council to collect debts owed to them can force them further into a debt trap, with families being charged for court expenses and the cost of bailiff visits. To avoid these extra charges being incurred by people we are calling on councils to not use bailiffs in families with children, many of whom are already struggling.⁷

It is clear that some councils have seen a reduction in bailiff use over time, with some councils choosing not to refer bailiffs to the most vulnerable. However, our findings show that almost 100 councils who responded to our freedom

of information request have seen a rise in referrals to bailiffs since support for council tax was localised in April 2013. Almost 10% of these have more than doubled their use of bailiffs between 2012/13 and 2013/14, with a further 16% reporting an increase of over half. Overall, there has been a small increase of 3% in the use of bailiffs between 2012 and 2013, yet this fails to tell the full picture. For those councils who have seen an overall increase in referrals to bailiffs, this rises to an increase of over 25%. It is estimated that there were 1.3 million bailiff referrals for council tax debt in 2013/14.

One mum told us how she stopped her child answering the door for fear of bailiffs.

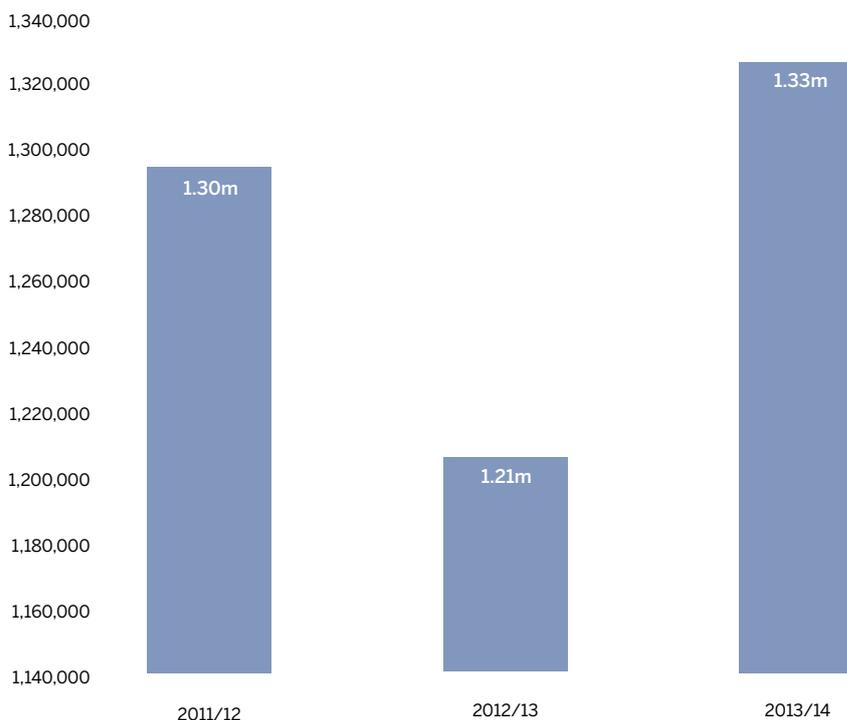
'Because usually it is just "I will answer the door mummy, there is somebody at the door". No, you do not answer that door.'

Mum in council tax debt with a child aged 8

The damaging effect of bailiffs on children is discussed in more detail in chapter 6. Our evidence shows that as well as the intimidating nature of bailiffs as a collection method, many families we spoke to found it extremely difficult to negotiate with their local council once their debt had been passed to a bailiff company.

A quarter of parents we surveyed said their council refused to negotiate with them once their debt had been referred onto a bailiff company.

Figure 4: Bailiff referrals for councils



This table is a national estimate for England based from Freedom of Information responses from 177 local authorities

Current government guidance is clear that local councils should be prepared to deal with individuals at any point – and can call bailiffs back at any time.⁸

The good practice guidance⁹ produced by Citizens Advice and the Local Government Association states that advice agencies and local authorities should work together to develop a fair collection and enforcement policy highlighting examples of vulnerable people and specifying clear procedures in dealing with them. It also states that contractual arrangement with bailiffs should specify procedures for the council to take back cases involving vulnerable people.

'There are some very, very vulnerable people out there... that have got bailiffs knocking on their doors within weeks of getting the first letter'

Mum in council tax debt

'I said right okay first of all it's just before Christmas and they were threatening with bailiffs and everything, I can't put any money on my electric card, I can't pay my gas and electric and they were threatening debt management'

Mum in council tax debt

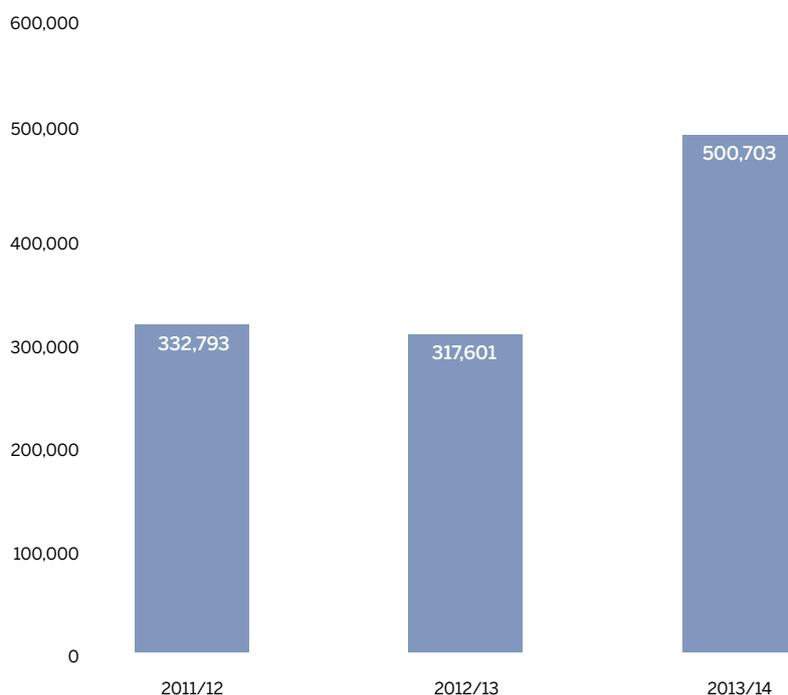
Whilst some councils are clearly using bailiffs as their collection method of choice, our research found that many local authorities are choosing an alternative enforcement mechanism, seeing a reduction in referrals to bailiffs

How it can be better: good practice from Islington Council

Islington Council have a policy of not using bailiffs for council tax support cases, recognising the vulnerability that many claimants of council tax support will face. Alongside this the council ensures that there are links to the council tax welfare provision in the Resident Support Scheme for residents who are facing difficulty.

In 2013 Islington Council collected 95.8% of council tax, above average for Inner London boroughs.

Figure 5: Deductions from benefit orders



This table is a national estimate for England based from Freedom of Information responses from 164 local authorities

and a rise in other enforcement methods, primarily deduction of benefits.

In the past three years the number of deductions from benefit orders has increased by more than 50% between 2011/12 and 2013/14. This amounts to a rise of almost 100,000 cases of deduction from benefits. Deductions from benefits allow families to repay their council tax over time and crucially to spread payments over the financial year.

Currently councils report their council tax collection rates to central government every year and this incentivises councils to refer unpaid debts to bailiffs rather than pursue other ways of collecting debts, such as deductions from benefits. These alternative

methods of collecting council tax enable families to pay back their arrears over a longer period of time which may run over more than one year – and therefore over more than one reporting cycle to central government.

It is crucial that families can pay their council tax bills over time, allowing them time to get back on their feet when they first fall behind. Our evidence shows that families find negotiating an affordable repayment plan with their council extremely difficult, with nearly half of families saying they found it challenging to negotiate, or were unable to negotiate at all.

‘When you are paying them, they’re quite happy to talk to you, but when it comes to asking them anything,

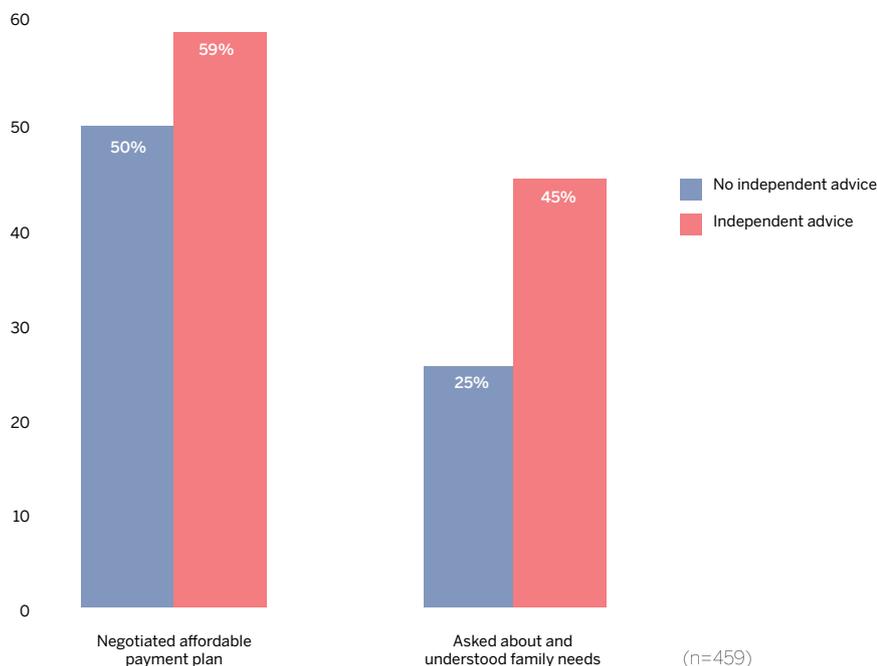
the phone will go dead and they just don’t want to know and you’re constantly ringing or even going to the office’

Mum in council tax debt

We are calling on the Department for Communities and Local Government to ensure that the way councils report on their council tax collection does not incentivise them to send bailiffs round to collect debts, but rather to prefer an alternative way of collecting money that is affordable to families and less damaging to children.

There is little or no guidance on what a bailiff must do before moving from sending a letter to a home to knocking on the door and demanding money, meaning that families can be faced with bailiff

Figure 6: Local authority responses to council tax debt by whether the family had received independent debt advice



fees (on top of their debt) totalling £310.¹⁰ Local authorities have a set amount of money for council tax collection and therefore have a real incentive to use bailiffs because it is cost neutral for councils, since they pass the costs on to families.

The way in which councils choose to collect their debts can have a huge impact on children. We are calling on councils not to send bailiffs round to homes with children under the age of 18, thereby protecting them from the damaging emotional impact this can have. No child should be scared of answering the phone or the door of their home, yet unfortunately we know this is the reality many children face. Instead councils should refer families to independent advice and support families to put in place affordable repayment plans

Access to advice and support

With rising levels of personal debt, access to advice and support is more important than ever. Only one in 10 parents with council tax debt said they were signposted to independent debt advice by their local council and three quarters never received advice at all on their council tax debt. Just over 10% of parents said that they only accessed support after their debt got to an unmanageable level.

The impact of receiving independent advice on alleviating the damage debt causes to children is clear. Only a quarter of parents who received no independent advice said their local

council asked and understood about family needs. This rises to almost half if independent advice is received as shown in figure 6 on page 22.

'I was crying on the phone to the council people, I was begging them and I'm like, even the £10 you agree with me, if you are not happy with it, why don't you call me?'

Mum with three children in council tax debt

Giving families the opportunity to access this advice is a crucial lifeline that allows them to get a better grasp on their financial situation. It puts them in a stronger position to negotiate an affordable repayment plan and ultimately means the council are more likely to receive the money they are owed. For many families, falling behind on their council tax can trigger an intimidating and scary process with four in 10 families finding the communication from the council confusing and unclear. Receiving independent advice and support to help families through this process is vital. 80% of parents who had been taken to court over council tax debt thought they were uninformed, didn't have the process explained to them, didn't understand why they were taken to court, or thought there was little or no communication beforehand.

However, it is not simply a matter of access to the support, but rather the timeliness of the support which can be a barrier to vulnerable families. 63% of respondents said that they would have liked to have received debt advice earlier than they did, with this figure rising to almost three quarters if the family had been visited by a bailiff.

This is especially important for those young people who are living independently for the first time and are struggling to maintain repayments on any debts that they have. Our interviews with those struggling with council tax repayments has shown that

there is a nervousness around contacting the council when struggling with council tax debts, as there is the perception that they will not be supportive of their needs and circumstances. For example, one care leaver, a particularly vulnerable group in these circumstances, told us:

'I was struggling to pay it and they were like well if [she] pays it by such and such a date we'll stop sending letters. So I did pay it by such and such a date. I haven't spoken to them myself but I am a bit scared to be honest about ringing them. Because of what they are going to say. I think they are going to get stroppy with me'

Another young care leaver described the process when he turned 18:

'here's your house, here's your nine hours support a week, get on with it kind of thing'

Local authorities need to do more to make themselves more approachable and be more understanding to those who are eligible to pay council tax for the first time, as it can be a considerable shock to their budget.

How it could be better: good practice from Cornwall Council

Cornwall Council has a local 'breathing space' policy as part of their recovery process for council tax. This means accounts can be placed on hold for 21 days when households fall into arrears for the first time, to enable the customer to obtain the necessary advice.

The scheme has been in place since 2009 and requires the person liable for the bill to let the council know they are struggling. The local authority can then put the account on hold and the 'breathing space' period starts. Crucially this can take place at any point in the recovery process.

In 2013 Cornwall Council collected 97.1% of council tax, above average for unitary local authorities.

**More than half of parents
in council tax debt thought
their children suffered**

**anxiety,
stress or
depression**

as a result of council tax debt

Only 1/10 parents in council tax debt were signposted to independent debt advice by their local council

3/4 in council tax debt never received any advice about their debts

Almost 1/2 of parents who had received advice said that the council asked about and understood family needs – this drops to a 1/4 if the family didn't receive advice

Almost 2/3 of parents said they would have liked to receive advice earlier than they did

1/2 of parents who were taken to court for council tax debt felt uninformed about the process

Chapter 5: Impact of council tax debt on children, young people and families



Families often work hard to make sure that their children are protected from the impact of living in debt, but this can be difficult, with children often aware of money troubles in the house and their family being unable to pay bills such as council tax.

'I usually hear about not having enough money to pay the bills and everything'

Child, aged 12

Our interviews with families exposed the experiences of those living in council tax debt, and the associated stress that it can cause. One mother told us of her inability to hide the impact of this from her children:

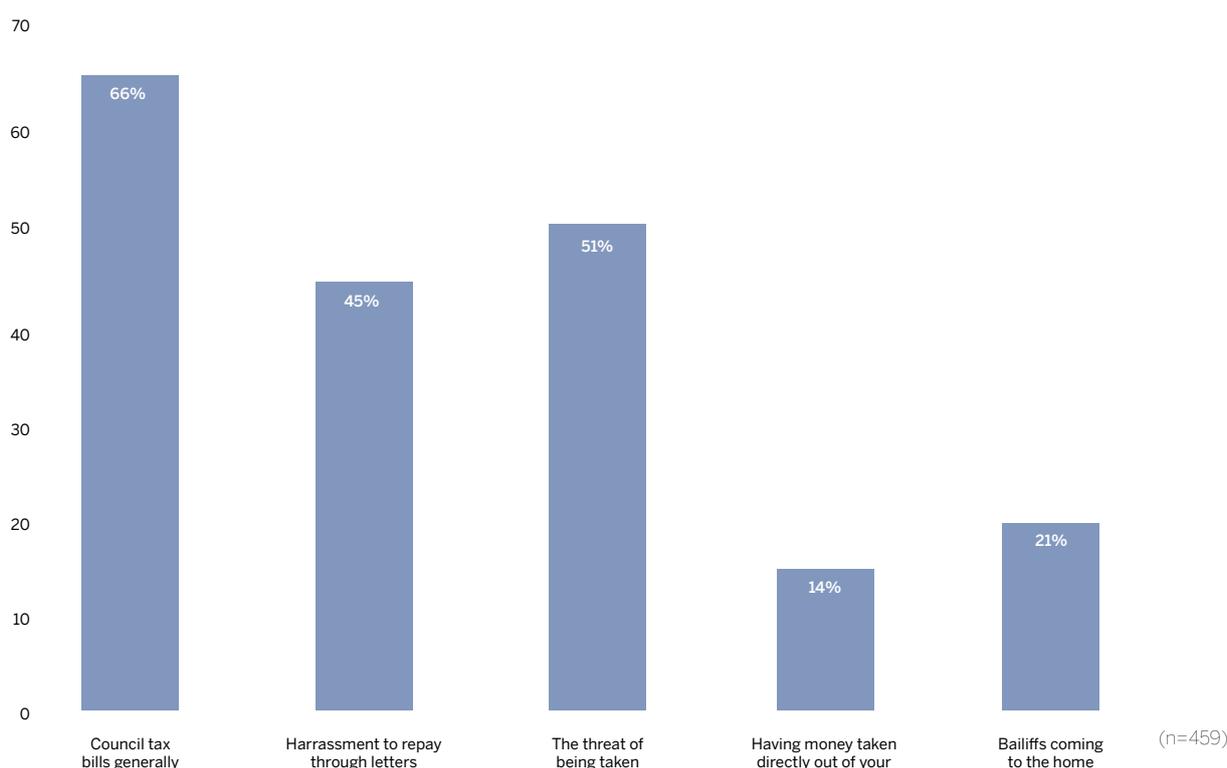
'They just knew that mummy was stressed and there were strange people at the door wanting things and most of the furniture and that got taken at that point.'

Our Debt Trap report¹¹ indicated that council tax departments were one of the creditors that families felt were the least helpful when they were struggling to meet their payments. Over four in 10 families in debt said they felt their local council was either not helpful at all or extremely unhelpful when they got in touch to discuss council tax. This compares with less than two in 10 families saying they felt they were treated badly or very badly when in debt on their energy bills, credit card or loan repayments.

The speed of escalation of issues can cause considerable stress and anxiety for families, and in some instances lead to depression. However, the emotional impact of having a bailiff at the door has a direct impact on children in the household. Our research demonstrates the devastating impact that collection policies can have on families with children.

More than half of parents who had faced council tax debt thought their children had suffered anxiety, stress or depression as a result of the debt. This evidence is corroborated by our previous report, The Debt Trap, on families struggling with debts. It found that families who have fallen behind

Figure 7: Percentage of parents reporting feeling anxiety, stress or depression associated with council tax collection procedures



on a number of bills, or are stuck with unaffordable repayments on payday loans or credit cards, often experience negative impacts on their mental health.

Impact of council tax debt communications

In just 14 days, families can go from missing a council tax payment to losing the ability to pay in instalments and then face court proceedings and enforcement on unpaid bills, such as bailiff visits. This does not give them adequate time to obtain the necessary advice and support which could enable them to better manage their debts and come to an arrangement that

will be acceptable both to the local authority and them, whilst ensuring that there is no negative impact on the children or the family as a whole.

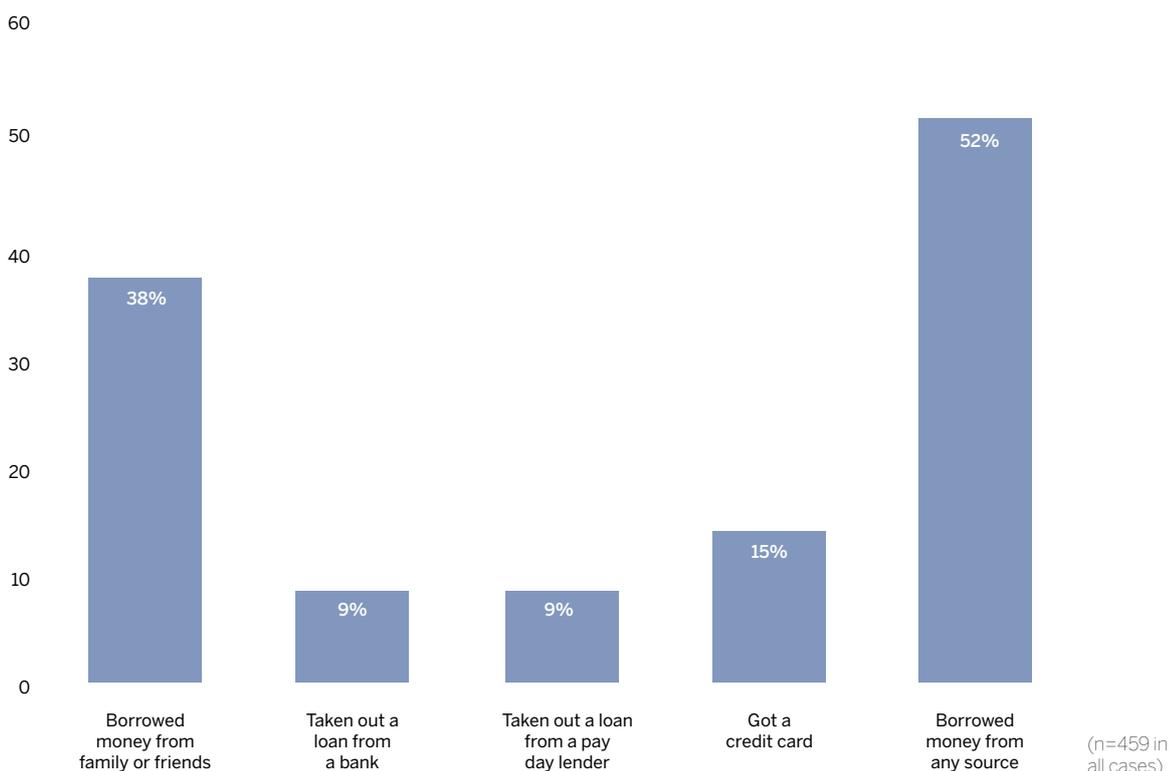
Of the parents that we surveyed who had been in council tax arrears, 85% had received a letter demanding payments of council tax debts, with one in five describing the tone of these letters as aggressive, and nearly half (45%) as intimidating. This is a worrying development for many families, with the heavy-handed nature of collection of council tax only adding to the stress of the debt trap in which they find themselves.

It is often the case that families are unable to insulate their children from the impact of local authority debt collection practices which has a clear, detrimental impact on their emotional health and well-being.

The council tax debt trap

Our survey of families who have experienced council tax debts showed a worrying correlation between falling into council tax arrears, and being pushed further into a debt trap. Of those who have struggled with council tax debt, more than half responded by borrowing money to pay their bill. Almost one in 10 said that they had taken out a loan from a payday lender, whilst four in 10 (38%) have

Figure 8: Percentage of parents who responded to council tax debt by borrowing money



borrowed money from family or friends, and nearly 15% have taken out a credit card.

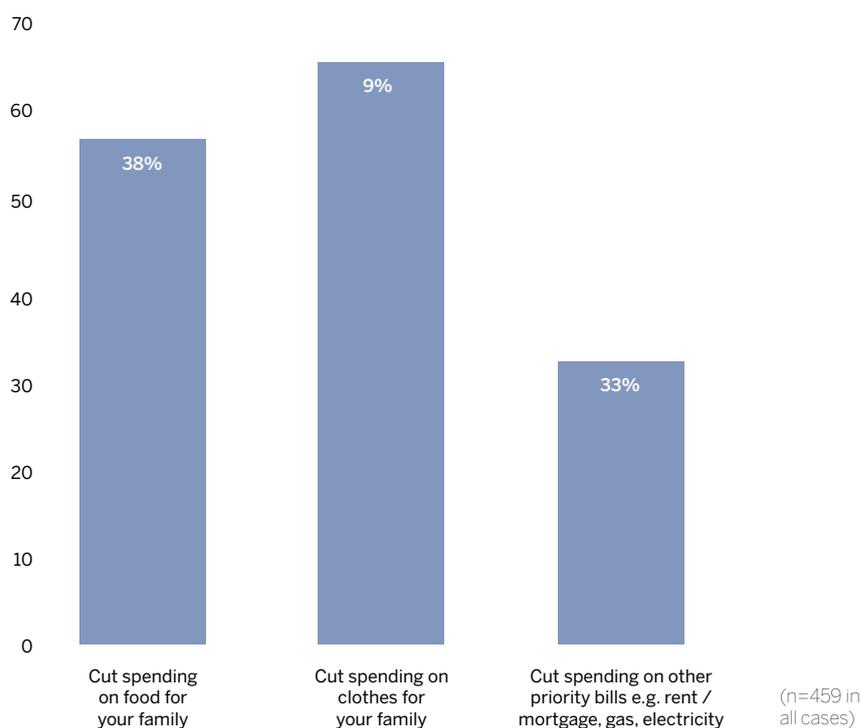
Of those who have experienced council tax debt, 33% said that they had cut spending on other priority bills, including water, gas and electricity. This dangerous balancing act can have disastrous consequences for families and their children, with parents being forced to make increasingly stark choices around what essentials they can and can't afford.

Eight in 10 families responded to council tax debt by cutting back on other essentials, including food, clothes and other priority bill payments, with more than half of

**Almost
2 in 10
families**

**in council tax debt have been visited
by a bailiff.**

Figure 9: Percentage of families who had cut back on other essentials as a result of being in council tax debt



parents saying that they cut back on spending on food for their family. Our previous work¹² has shown that whilst providing children with a hot meal every day is essential, for many families this is becoming more and more challenging, with parents cutting back and sometimes unable to provide their children with a hot meal.

One child, aged 12, told us that council tax increases meant that:

'[there isn't] enough money to feed us'

It is very rare for debts to exist in isolation. Access to expensive but easily obtainable forms of credit means that too often families

and young people have to rely on credit cards and payday loans to make ends meet. The cost of this can mean they are continually driven deeper into debt, rolling over repayments and further exacerbating the debt trap they find themselves in. Evidence gathered by Citizens Advice¹³ shows the link between council tax debt and other forms of debt, with one in five people who came to them in council tax arrears also having issues with loan repayments, and one in six having a credit, store and charge card issue.

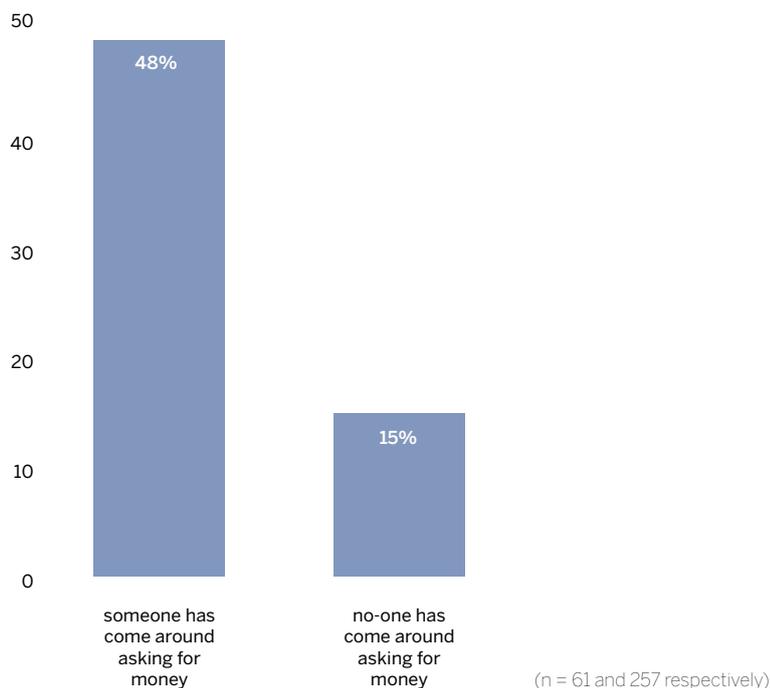
'It's actually my worst one (debt) at the moment with the council tax'

Mum in council tax debt

'And then you're getting letters that they're coming to take your furniture and it's not nice. It's scary.'

Mum in council tax debt

Figure 10: Percentage of children strongly agreeing that they hold back asking their family for things as they don't want to make life difficult for their parents



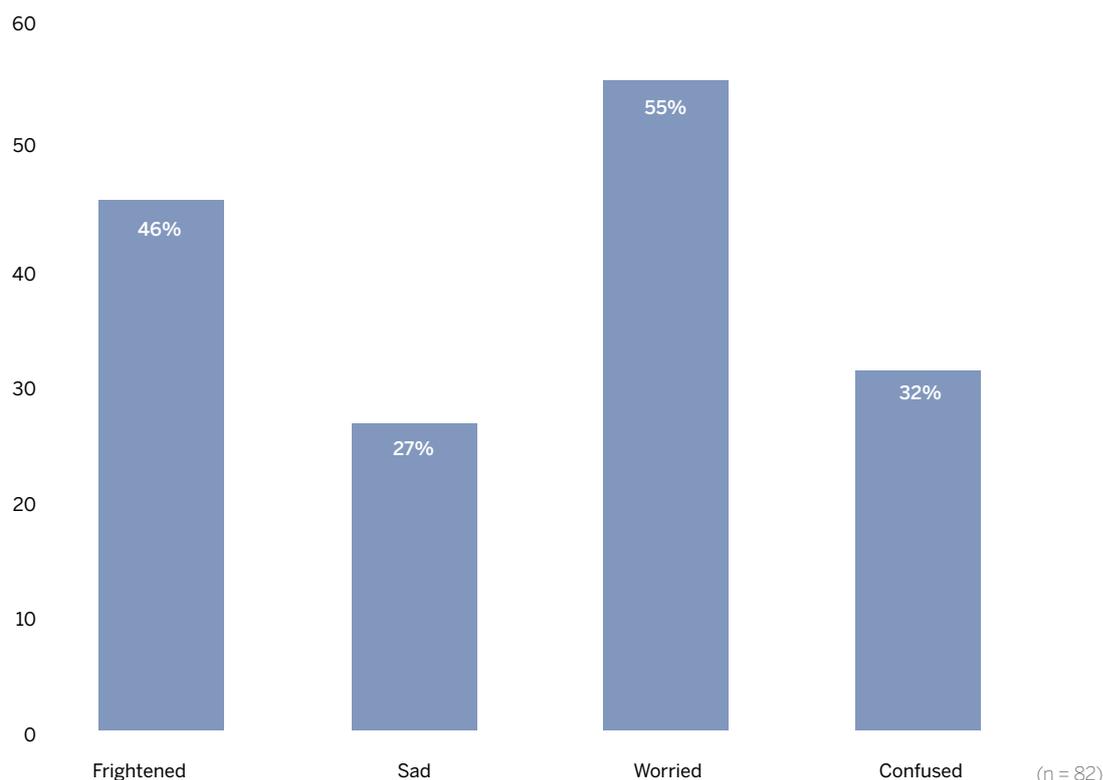
Pushing families further into a debt trap – the costs of court and bailiffs

For families already struggling with council tax debt, being charged with court costs and then the costs of bailiff visits can push them further into a debt trap. The deduction of earnings or benefits does, however, carry no additional cost to families.

The fee that is attached to court action and to sending round a bailiff is borne not by the local authority but by the family themselves. This means that for a family already struggling to make ends meet, there is now a greater financial obstacle than existed previously, making any repayments on the debt even more difficult.

Two thirds of parents said they believed their children had been **frightened, sad or worried** as a result of a bailiff visit

Figure 11: Percentage of parents saying their children felt frightened, sad, worried or confused after having a bailiff visit the family home



The impact of council tax debt on children

Our annual Good Childhood Report published in 2014¹⁴ shows that children are often aware of financial difficulties faced by their families and qualitative studies with children have shown that they often know about money tensions in their families and that they change their behaviours in response to this.

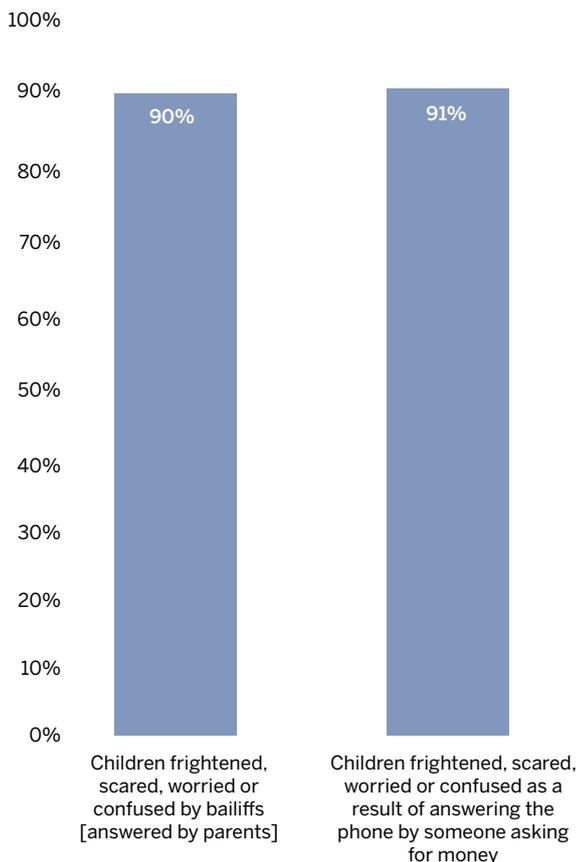
More than half of the children we surveyed worry about whether their family has enough money, with 15% of children in families

who have faced council tax debt strongly agreeing that they hold back on asking for things that they want as a result of this. This increases to almost half of children if the home has been visited by a bailiff (as shown in figure 10 on page 30). This can have a severe detrimental impact on the material well-being of children.

Nearly half (48%) of children in families who had faced council tax debt thought that their family argue as a result of stress about money. Our Debt Trap report¹⁵ showed that families trapped in problem debt are more than twice

as likely to argue about money problems, leading to stress on family relationships, and causing emotional distress for children. With over 1.6m children living in over 900,000 families with council tax debt, councils need to ensure that the way in which they collect council tax protects and safeguards children and young people. Unfortunately, we know that this is not the case in many local areas.

Figure 12: Percentage of children frightened, scared, worried or confused by bailiffs [answered by parents] or when answering the phone by someone asking for money [answered by children]



Where bailiffs have visited, children are twice as likely to say their family argues about money compared with other families in council tax debt

(n = 82 and 77 respectively)

The impact of bailiff use on children and young people

For those families that had a bailiff knock at the door, they frequently found the attitude of the enforcement agent to be scary (four in 10), aggressive (a third of parents) or even physically intimidating (two in 10).

Almost one in five families facing council tax debt had had a bailiff visit their home and of these seven in 10 said that they believed that their children had been frightened, sad or worried as a result of the visit. Only two in 10 parents in council tax debt who had had a bailiff visit said their children were never in when they came. This is a distressing set of findings, and suggests that local authorities could do more to protect children from harm by adopting different enforcement actions for the collection of council tax debts.

A third of parents said that the enforcement agency was inconsiderate to children being in the house – all the more worrying when these same parents told us that in over half of cases their children were present most or all the times a bailiff visited.

Nearly one fifth (17%) of children in families who have faced council tax debt surveyed said that they had had someone call the house to ask about money that was owed, with nearly half of these children saying that they felt frightened and three quarters of them felt worried. More

than half of these children picked up the phone to the debt collection agency, at which point the number of them feeling frightened rose to more than six in 10 (62%).

Our research found many examples of good practice in how local authorities collected council tax debt from families with children. For example, some parents reported that they were asked about the presence of children in the household, and in these cases local authorities were more likely to negotiate an affordable repayment plan (as shown in figure 6 on page 22).

However, good practice was by no means universal, and some of the methods used by councils to collect council tax are clearly having a direct and damaging impact on children. Our findings indicate in particular that many councils need to rethink their use of bailiffs to recover council tax debt from families with children.

Young care leavers paying council tax for the first time

One particularly vulnerable group for council tax debt is care leavers. Often, when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. Evidence from our own services shows how challenging care leavers can find managing their own budgets and how scary they found falling behind on their council tax.

Our interviews with young people in this situation have told us that managing and understanding council tax bills for the first time is frequently a challenge, and that they aren't aware of their entitlements around exemption

'and then that one [bailiff notice] they said it's unannounced, you know, like they can come any time. So I told the children, if somebody is knocking the door don't open, we don't know the person.'

Mum with three children in council tax debt

or support. Many expressed concern as to how quickly bailiffs are sent round and felt the council should not send bailiffs to these young people so quickly, with bailiff visits being the cause of stress and sleepless nights for some of the young people we spoke to. In 2014, 6,880 young people aged 18 or over ceased to be in the care of their local authority¹⁶ and found themselves setting up home, often facing households bills for the first time. Without sufficient support this can lead to a high risk of debt, as Anne's story shows.

One care leaver that we interviewed, who had been in and out of employment, told us:

'I kept on being charged for council tax. I couldn't pay it. I was just falling further and further behind. And then... I tried telling them that I couldn't pay that per month, they weren't having none of it, ... and then I ended up just leaving it. Even though I didn't have any money, they weren't willing to do anything'

A recurring theme from our research has been the unwillingness of local authorities to negotiate affordable repayment plans, even when they are aware of a resident being vulnerable, with one care leaver telling us:

'So I tried to negotiate with them, so like, I'd pay half of it in January and half in February, and they weren't having none of that. And that [bill] was until this April. But they wanted it all in January. It's crazy.'

'They [the children] just knew that mummy was stressed and there were strange people at the door wanting things and most of the furniture and that got taken at that point'

Mum in council tax debt

**Children in families
in council tax debt are**

50%

**more likely
to suffer from
depression**

**than those who have not
faced council tax debt**

Anne's* story

After moving into her own flat in May last year Anne*, a care leaver, started to pay council tax for the first time. After paying on time for the first few months she missed a payment and quickly received letters threatening court action.

Anne has been in care since she was 13. Since leaving care, Anne has lived in accommodation provided by a local charity and then a hostel for six months before being offered her own home. She also stayed for a short period in a home that was completely unsuitable for a 20-year-old and that she described as being a home for the elderly.

Now living in her own home, Anne constantly struggles with her council tax as she hasn't managed to find stable employment, applying for three or four jobs a week whilst studying at the same time. She struggles with lots of bills and first fell behind on her council tax in winter when she had to pay for heating to keep her flat warm. The council then demanded the full payment in one go.

Keeping up on all her households bills is a constant struggle, and Anne sometimes has only £1 for meals and often has to wait for food to be reduced in the supermarket. After falling behind, Anne was sent what she described as 'horrible threatening letters' and was threatened with court action. These letters continued until her adult social worker called the council on Anne's behalf as she was too scared to do so. The fear of going to court was overwhelming for Anne and she now dreads the post arriving in the morning.

Chapter 6: Recommendations



Recommendations for councils

1. Councils should not engage bailiffs for collecting council tax debt for families with children. This is particularly important for the most vulnerable families.

We would urge local authorities to protect children by not sending bailiffs round to families with children. Our research has shown that using bailiffs has a particularly damaging impact on the emotional health and well-being of children.

Additionally, using bailiffs incurs an additional cost for families who are already struggling. As such, we recommend that local authorities prefer alternative collection policies that are available to them, putting in place affordable repayment plans for families, and only use bailiffs as a very last resort. There are examples of councils who take this approach whilst at the same time maintaining council tax collection rates.

The most vulnerable residents and those living on a low income could be protected by adopting a policy of not engaging bailiffs for those families in receipt of council tax support.

2. Families with children should be given at least one opportunity to bring their account back up to date and have their monthly instalments reinstated.

Losing their ability to pay in instalments can cause families anxiety and stress, as they are asked to pay for an entire year at once. In the instances where families are allowed to reinstate their monthly instalments, it is frequently the case that this can only be done by direct debit, which then negatively impacts on vulnerable households who may not have access to bank accounts, or do not have a regular income or overdraft facility.

We would urge local authorities to allow families with children to be given an opportunity to have their monthly instalments reinstated and manage their account in a way that is fair and open to all parents or young people living independently, including those unable to pay by direct debit.

3. Local authorities should improve the way in which they provide independent advice and support for families with children and vulnerable young people who fall behind on their council tax.

As our research has shown, it is too often the case that local authorities do not offer

families independent advice or support with their debts, or that when they do it is already too late. There is a variety of support and advice that could be made available to families with children, including:

- providing a council tax debt adviser in court for families
- advice information provided on all documents issued relating to council tax
- independent advice mentioned in all telephone calls relating to council tax
- automatic referral to an independent debt advice agency when a final reminder notice is sent to families.

We would urge local authorities to be more proactive in making struggling families and young people aware of the support that is on offer to them.

4. Councils should always allow families to negotiate repayments even when the debt has been referred to an enforcement agency.

Our research showed that too often families with children lost the ability to negotiate an affordable repayment plan when they fell into arrears on their council tax and particularly when the bill had been referred to enforcement agents. This leaves them in a position whereby they are liable to pay the whole year of council tax in one lump

sum, which for families who are vulnerable and financially insecure, is very stressful and unrealistic, often plunging families further into debt.

As such, we recommend that all local authorities ensure they give vulnerable families the opportunity to negotiate a repayment rate that is affordable and realistic, even when the matter has been referred to an external agency, in line with government guidance.

5. Councils should put in place a 'breathing space' scheme for families with children under 18 which places accounts on hold while the family receives independent and free debt advice.

Just 14 days after missing a council tax payment court processes can begin against families. Many families often find themselves in court or being visited by a bailiff with little time to seek independent advice and support.

Councils should operate a scheme whereby a family who falls behind on their council tax can ask for their account to be placed on hold for 21 days so that they can speak to independent advice agencies about dealing with their debts. This should be available to all families at any point in the enforcement process.

6. Care leavers should be eligible for 100% council tax support until the age of 21.

Each local authority has a duty of care to care leavers. We believe that to ensure that the transition from care to adult life is as smooth as possible, and to mitigate the chances of them falling into debt as they begin to manage their own finances, they should be exempt from paying council tax until they are 21. However, this is an issue that must be decided at a national level, as is the case for the student exemption, so as an interim measure we would suggest that local authorities make this group eligible for 100% council tax support until they turn 21.

7. Court proceedings should not be pursued if a repayment plan for council tax debt has been agreed and is being observed by the family or young person.

From our interviews with families, we heard that councils were quick to escalate their debt to court, despite the fact that a payment plan had been agreed with the family. Our analysis of the freedom of information request showed that councils pursued liability orders to be used against families if they fell behind on their agreed repayments.

If families are sticking to an agreed repayment plan and

are paying back their debts at a rate affordable to the family, it is in no one's interest to take the family to court, as this is a stressful and unnecessary enforcement action to take at that stage and forces the family further into debt.

8. Councils should review their council tax collection policy and include the following groups as being particularly vulnerable.

Local authorities can decide on their own definitions of vulnerability and choose to provide council tax support to any group they believe is sufficiently deserving. We believe that the policies would be significantly strengthened if they were broadened to include the following groups:

- Care leavers
- Families with children under 18 in receipt of council tax support or housing benefit
- Families with disabled children.

Local authorities should then update their council tax collection policies to reflect the vulnerability of these groups.

Recommendations for enforcement agencies

1. Enforcement agencies should always give opportunities to access advice and negotiate repayments to families they visit.

Our interviews with families and survey data indicates that it is unlikely that a family with children will be given the opportunity to access advice and support about their debt once they have been referred to an enforcement agency.

We would strongly urge these agencies to give vulnerable families the opportunity to get help with their debt and negotiate an affordable repayment plan, rather than aggressively and rapidly pursuing an escalation from compliance to enforcement.

2. Enforcement agencies should review their policies to ensure their methods of collecting debt are considerate of children being in the home.

Our evidence has shown that in two thirds of cases children were present every time or most of the time a bailiff visited. Children clearly experience and are impacted by bailiff visits. Therefore enforcement agencies should review their policies in recognition of this and ensure

their methods of collecting debt are considerate to children who are at home or young people who are home alone and answering the door to a bailiff.

Recommendations for central government

1. The National Standards for Bailiffs and Enforcement Agents should be updated to include all families with children under 18 in their recommended list of vulnerable groups.

Currently, the national standards include single parent families in the list of groups who may be considered vulnerable. It does not include all families with children under 18. All of our work on debt has shown that families with children are in fact a particularly vulnerable group who are susceptible to problem debt, which can then have a serious negative impact on their overall well-being.

As such, we would encourage central government to update these standards to reflect this and offer greater protection to families with children.

2. Collection reporting to Department for Communities and Local Government should be updated to include reporting on the number of households, with an attachment from benefits

order to prevent councils being encouraged to use debt collection practices that are harmful to children.

Our research has indicated that having a bailiff call or visit the home can have a detrimental impact on children. There are alternative enforcement methods available to local authorities which are not as damaging, and as such we would encourage Department for Communities and Local Government to make sure that their reporting structure does not offer a perverse incentive to local authorities to adopt the use of bailiffs as their preferred method of collection.

Chapter 7: Conclusion



Local authorities exist to serve the needs of their local residents, and in order to do so they must be able to achieve high rates of council tax payment to pay for local services. This is particularly acute in the current climate where councils are facing difficult spending decisions. However, they also have a duty to protect the most vulnerable residents in their community, so they have a particular responsibility to ensure that their collection and enforcement measures do not cause harm. This report exposes how children and families and vulnerable young people too often face damaging debt collection practices, including being subjected to distressingly-quick and heavy-handed enforcement action from their local authority, and not being signposted to debt advice agencies often or early enough.

What has become clear as a consequence of our research is that many local authorities don't do enough to protect families with children from the impacts of their debt collection procedures, particularly bailiffs. Whilst there are examples of good practice, many local authorities simply do not know whether there are children in a household when they fall into arrears, and their enforcement actions are insufficiently sympathetic to the vulnerable nature of many of these families.

This is made worse by the inadequate signposting of

debt advice which could help families who fall into arrears better manage their finances and prevent this from happening again in the future. With only one in 10 families being signposted to independent support and advice by their local authority when they fall behind on their council tax, too few families are able to become more resilient to the shock that debt can cause, and are caught in a debt trap that leaves them feeling stressed, anxious and depressed.

It is striking how direct an impact council tax arrears has on a family being able to provide an acceptable standard of living for their children. Our analysis reveals that too many families feel unable to protect their children from the impact of a bailiff knocking on the door. It is shocking that in almost two thirds of cases, children aged 10–17 are present every time or most of the time a bailiff visits the family home, with 70% of parents visited by bailiffs saying their children felt scared, worried or confused as a result. On top of this, 35% of parents said the behaviour of bailiffs was threatening and a third said bailiffs were inconsiderate to children being in the home.

It is not just councils who have a role to play in improving this situation. The Local Government Association and central government could provide more support and advice to local authorities about how to help

vulnerable families and children, for example through the sharing of good practice or ensuring the way in which councils report on the collecting of council tax does not incentivise the use of harmful debt collection practices.

Our recommendations if implemented would help to ensure that children are protected from harm in the collection of council tax debt.

Action is required to address the impact of local authority debt collection on families, and this requires a joined-up approach from central government, the Local Government Association, local authorities and enforcement agencies. We need to do more to ensure that no child feels frightened, worried or anxious in their own home because their parents are struggling with council tax debt.

The Children's Society wants to work with local authorities to improve their debt collection policies to support families in debt and ensure they are able to access the necessary independent advice and support. Together we can end the debt trap and alleviate the damaging impact that debt can have on children's lives.

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We are calling on
councils not to send
bailiffs to homes
with children.

**For more information on this report,
please contact:**

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