

# Help for helping your residents

Working with the Citizens Advice service. A guide for Councillors | 2011 |





This guide has been produced thanks to funding from Prudential plc.



# Contents

## How Citizens Advice can help

- 5 Who we are and what we do
- 7 How we are structured behind the scenes
- 8 How the public uses our services
- 9 How you can expect advisers in bureaux to help your residents
- 10 How the Citizens Advice service can help councils
- 11 Examples of successful working between bureaux and local councils
- 20 Wales, Scotland and Northern Ireland

## Advising residents

- 21 Introduction to advice sections
- 22 Problems presented in Citizens Advice Bureaux during 2010/11
- 24 Ten top tips to help residents survive difficult times
- 30 First steps for advice for Councillors
- 32 Signpost, refer or deal with personally?
- 34 Debt, money and tax
- 37 Housing
- 44 Benefits and tax credits
- 51 Employment
- 53 Immigration
- 57 Ombudsman services
- 63 Discrimination and harassment

## Useful links and helplines

- 71 Useful links and helplines

# Foreword

Welcome to the first edition of this guide to inform local Councillors about the services offered by Citizens Advice Bureaux. Made possible by funding from Prudential, it contains up-to-date information on some of the problems most often raised by residents, as well as important contacts and suggested next steps for following up issues. There are also examples of how councils have established mutually beneficial relationships with their local Citizens Advice Bureaux which have made a real difference in resolving residents' problems.

For more than 70 years the Citizens Advice service has worked closely with elected representatives at local and national level. In 2010/11 we helped more than two million people resolve over seven million problems, ranging from debt to family breakdown. Citizens Advice Bureaux deliver advice services from over 3,500 community locations in England and Wales, run by 382 individual charities, giving us more outlets than even the top two supermarket chains. Through this coverage we can spot trends in problems that people are experiencing, collect first-hand client accounts and use this local evidence to inform local service providers' planning and delivery. Acting as local advocates, often in partnership with others including councils, means we are ideally placed to influence policy change at a regional and national level and improve people's lives.

Over the next two years Citizens Advice will be taking on a range of statutory functions that are to be transferred from Consumer Direct and Consumer Focus, providing advice,

advocacy, research and education. Citizens Advice is already an active champion for consumers, helping them to get a better deal and making it easier to access the information and advice they need. The transfer of responsibilities to Citizens Advice must be carefully managed and supported through extra resources to reflect the enhanced role of the service. Through careful planning we intend to begin a phased transfer in anticipation of becoming fully operational in April 2013.

Prudential is a long-standing supporter of Citizens Advice. In particular, as key partner in the Financial Skills for Life programme, it has enabled over 280 bureaux to deliver financial education initiatives in their communities. This increasingly important work now reaches over a quarter of a million people a year. Financial capability training gives people the skills they need to budget, borrow and save with confidence – essential during difficult financial times.



© Ian Enness

**Gillian Guy**

CHIEF EXECUTIVE, CITIZENS ADVICE

A handwritten signature in black ink, appearing to read 'G. Guy', written in a cursive style.

In working with their local Citizens Advice Bureaux, as a trusted community service, democratically-elected Councillors across the country have found additional ways with which to reach the most vulnerable and disengaged sections of the community. Over the years they have developed strong partnerships that have provided assistance for people up and down the country in accessing local, independent advice services that make a real difference to lives and communities.

Councils continue to develop new and better ways of delivering local public services. The Local Government Group and the Citizens Advice service will continue to work together both locally and nationally to help identify such opportunities and to improve services and outcomes for the community.

This guide is intended to support you as a Councillor in the important role you have as a champion and advocate for your community and help you to access the information and support materials you need to get the job done.

We hope you find this booklet useful. Please get in touch if you require any help or information.



**Baroness Margaret Eaton**

CHAIRMAN, LOCAL GOVERNMENT ASSOCIATION

*Eaton*

“ At a strategic level, the bureau relationship with Calderdale is one of genuine partnership. As leader of the council I recognise CAB's unique ability to support people in our community and to tackle poverty in the area. Most recently the bureau was a key part of the council's response to the recession, and we trust their judgement as to the best way to help our community. And as a Councillor, it's good to know that I can call on the bureau's expert advice as I look to support my own residents with the problems that they face in their everyday lives. ”

**Councillor Janet Battye,  
Council Leader, Calderdale Council**



# Who we are and what we do

The Citizens Advice service helps people resolve their problems. As the UK's largest advice provider we are equipped to deal with any issue, from anyone, spanning debt and employment to housing and immigration plus everything in between. In fact nearly half the population has used our service at some point in their life. In the last year alone, the Citizens Advice service helped over two million people to solve more than seven million problems.

But we are not just here for times of crisis – we also use clients' stories anonymously to campaign for policy changes that benefit millions, often without them even realising.





## How to contact us

Ali Williams, Local Government Policy  
and Development Officer

[localgovernment@citizensadvice.org.uk](mailto:localgovernment@citizensadvice.org.uk)

0207 833 7102

115–123 Pentonville Road, London, N1 9LZ

Find your local Citizens Advice Bureau by searching

[www.citizensadvice.org.uk/getadvice](http://www.citizensadvice.org.uk/getadvice)

97% of people have heard of the Citizens  
Advice service

**BMRB, 2009**

# How we are structured behind the scenes

The **Citizens Advice service** is made up of two parts:

- 1) **Citizens Advice Bureaux** deliver advice services from over 3,500 community locations in England and Wales, run by 382 independent registered charities.
- 2) **Citizens Advice**, itself an independent registered charity, as well as being the membership organisation for bureaux. Citizens Advice equips local bureaux to deliver the highest quality advice to their local residents through training, information systems and support. In turn, the bureaux alert Citizens Advice to widespread problems that require coordinated action at a national level.

**41 %** of people say they have used a Citizens Advice Bureau at some point in their lives

**BMRB, 2009**

# How the public uses our services

The Citizens Advice service offers information and advice through face-to-face, telephone and email services, and online via [www.adviceguide.org.uk](http://www.adviceguide.org.uk)

Citizens Advice Bureaux deliver advice services from over 3,500 community locations in England and Wales, including high streets, community centres, doctors' surgeries, courts and prisons. Of the 28,500 people who work across the Citizens Advice service, 21,500 are unpaid volunteers. What all our staff share is high standards of training and a passion for seeking justice for their clients.

## Adviceline

Adviceline is now live across Wales as a bilingual service and is being rolled out across England. Callers are able to listen to recorded information, transfer to other helplines and/or speak to a CAB adviser.

Although the option of speaking to an adviser is only available in areas where Adviceline has been fully rolled out, the other options are available across the whole of England and Wales.

**England: 08444 11 14 44**

**Wales: 08444 77 20 20**

Calls are charged at five pence per minute from BT landlines, other providers and calls from mobiles may be considerably more. However mobile phone users are offered a 0300 number on being answered, which is charged at around five pence per minute.

To find out more about Adviceline visit:

[www.citizensadvice.org.uk/getadvice](http://www.citizensadvice.org.uk/getadvice) or contact your local CAB.

# How you can expect advisers in bureaux to help your residents

Advisers do not tell people what to do; rather they explain their options and the possible outcomes of different courses of action. Clients are encouraged to make their own decisions and act on their own behalf. We enable them to manage their own problems by focusing on their needs as individuals.

Advisers can:

- interview people face-to-face and by phone to find out what the problems are
- access our regularly updated electronic information database
- help people to negotiate with companies or service providers such as creditors or to appeal against decisions, for example, welfare benefit claims
- write letters or phone companies and service providers on behalf of clients
- help people to prioritise their problems, for example, to sort out which debts are most important
- help people with form filling
- represent people in court and at tribunals
- refer people to specialist caseworkers for complex problems or to other agencies when appropriate.

# How the Citizens Advice service can help councils

Councillors provide a vital link between communities and their council, and work in close partnership with bureaux as champions and advocates for the local community. Being able to help residents resolve specific problems is key and bureaux can often help Councillors to manage a significant range of casework.

There are countless ways that working closely with a local advice agency could help you manage your cases – these could include:

- Regular catch-ups – understanding the ward through timely, independent data on issues affecting the local area and your residents.
- Supporting ward issues or advice in specialist topics.
- Agreeing cross-referral processes and the prioritisation of cases to ensure that residents receive assistance from specialist advisers.
- Supporting and empowering residents through a range of achievable solutions and signposting to the information and services they need.
- Research and information – bureaux are an independent source of local evidence that can help improve the lives of your residents.

**An early conversation with your local CAB Chief Executive could help establish ways of managing casework, developing systems, sharing expertise and the best points of contact for local councillors.**

# Examples of successful working between bureaux and local councils

## Sharing local evidence

Bureaux can help Councillors as representatives of the community by providing a variety of support and guidance materials that enable you to ensure that issues in your local area are dealt with promptly and systematically.

### CASE STUDY

**Wolverhampton CAB** produces quarterly updates for **Wolverhampton City Council** showing enquiry trends, work volume, locations of clients and patterns of activity from an independent local source. The reports are widely read and reinforce the contributions the bureau makes to strategic planning. This has resulted in the bureau's involvement in developing the community's shared strategic plan.

Prioritising services for those most in need with reduced funds is an increasingly challenging task for local councils. Wolverhampton CAB has worked closely with the council to streamline local advice services across a range of organisations, so client need is identified sooner and the right information and services are easily accessed. In developing local operating models in partnership with the council and others, the bureau is helping to accelerate clients with greatest need, spread demand across services and better align bureau processes to achieve shared priorities.

## Working with your local CAB

Your local bureau understands that Councillors often have a number of roles and responsibilities; whether it be ward case work, seeking the views and experiences of the community, taking a policy decision or scrutinising the council's own services, we can help. Some bureaux are already involved in helping Councillors and their local authorities across a diverse range of areas, including:

- Overview and scrutiny reviews.
- Acting as a 'critical friend' in policy and practice development.
- Developing community profiles.
- Contributing to joint strategic needs assessments (JSNAs) and child poverty assessment.
- Service commissioning (including specific projects).
- Public health and health inequalities.
- The Public Sector Equality Duty.
- Personalisation.
- Financial capability.
- Improving housing and benefits processes and outcomes.
- Good practice, for example joint protocol with LGA.

The Citizens Advice service will be working with the Local Government Group to produce a series of short case studies that explore in more detail, how bureaux are working with their councils across the range of issues mentioned.

“ As part of a task group set up from a Liverpool City Council overview and scrutiny committee led by senior officers of the authority, the bureau has played a lead role in developing a code of conduct for bailiffs employed by Liverpool City. The expertise and professionalism the bureau brought to the task group was invaluable. ”

**Councillor Joe Hanson**  
**Chair of the Disputes and Appeals Panels,**  
**Liverpool City Council**

Councillors play an important role in influencing local strategies and policies to ensure the council makes the best use of resources to meet the needs of the community. Bureaux can contribute the information and evidence Councillors need to influence and shape local services effectively. Bureaux, as a frontline service, are often one of the first places to witness new trends.

This might be a rise in rogue trading, or in the way a council may be prioritising its housing allocation. Identifying issues as they emerge means problems can be tackled quickly and the evidence used to inform local policy and practice.

## **Local picture**

Bureaux can provide robust and timely information as well as produce reports on evidence trends in order to champion local issues and assist you in your decision making role. Our detailed case recording system generates valuable insights into local problems, trends, and service needs.

This evidence base from a trusted, independent and local source can also be used to develop more effective and targeted strategies and policies, by enhancing the council's



own intelligence. Bureaux often work with the most vulnerable and 'hard to reach' sections of the community so can assist councils in ensuring that everyone has a voice.

Councils and bureaux can combine their expertise and reach to run successful awareness raising campaigns on issues affecting local people, such as the availability of debt advice, take-up of appropriate benefits or starting a credit union.

## **National impact**

As well as providing the advice people need for the problems they face, the Citizens Advice service's twin aim is to improve the policies and practices that affect people's lives. Being part of the wider Citizens Advice network, the local information collected by bureaux is gathered together at a national level. Together with councils, Councillors, the LGA and MPs, Citizens Advice aims to influence national debate and legislation. When we see problems that could be avoided by a change in policy or practice, we campaign for change that leads to overall benefit. In working with your local bureau you can help to make a real difference to people's lives. By championing local issues together we can change policy and practice nationally.

## **Good practice in action**

Numerous vulnerable clients were reporting bad experiences as a result of the poor practice of some private bailiffs used by councils. A national pattern was identified and work began on improving outcomes for residents and also for councils. Achieving satisfactory results whilst taking into account the different needs and aims of the three parties involved (struggling clients, councils charged with collecting taxes and bailiffs acting on their behalf) was a challenge.

Together **Bath CAB** and **Bath & North East Somerset Council** produced a 'good practice' protocol to improve clients' experience resulting in boosted council tax collection rates through the adoption of a more realistic and flexible approach.

This led Citizens Advice and the LGA to launch a joint good practice protocol for bureaux to use with local authorities to improve collection of council tax debts. Other bureaux have since reported much improved communication with their local authorities enabling them to achieve significant outcomes for vulnerable and struggling clients.

### **Citizens Advice Bureaux – catalysts of partnership**

Bureaux and other voluntary and community organisations can be very effective partners in local delivery, offering additional benefits. Citizens Advice has a long history of working with local authorities to provide free, independent advice services. As a recognised intermediary, your local bureau is able to work with you as a trusted organisation, using its knowledge and experience of working with specific groups or those with complex needs.

#### **Helping to improve efficiency**

Bureaux don't just contribute to the spending challenge facing local government by directly supporting council services and contributing to strategic planning – they help to deliver efficiencies and improvements through local policy and practice work.

**Sutton CAB** supported such a process through **Sutton Council's Strategic Partner Programme**. The council-led partnership mapped current services against need with a view to improve efficiency and reduce duplication through more coordinated working with the local voluntary sector. The bureau acted as an independent 'critical friend' helping the council to identify new ways of working while addressing client need. This successful project was highlighted as an example of good practice in a recent Local Government Improvement and Development (formerly the IDeA) case study.

### **Volunteering – bringing significant benefits**

We encourage and support people to become active citizens through our volunteer network by:

- Being known and trusted by some of the most vulnerable people in your community.
- Developing detailed local knowledge, backed up by the support of a powerful national network.
- Contributing to the skills, confidence and employability of local people.
- Preventing problems escalating or even starting through early intervention and so easing the burden on council services and other public services.
- Providing advice services that address complex, cross-cutting issues and improve access to the right services.
- Helping service users and local residents to express their voice, preferences and priorities.

Volunteering with Citizens Advice brings significant benefits to every community by being open to all and helping people to overcome social exclusion through the skills, experience, confidence and contacts gained while helping others. The

activities of bureaux volunteers contribute to wider social objectives by involving people in their local communities and harnessing their strengths and capabilities, innovatively delivering more services where they are most needed.

### **Partnership – leading by example**

Bureaux continue to work with their council partners to find new and diverse ways of working so that together we can address the significant funding challenge facing us all. These collaborative relationships are helping to identify opportunities for improvements and savings while improving clients' experience and achieving outcomes for them.

## CASE STUDY

As the effects of the recession are still being felt, bureaux continue to work with local authorities to find the most effective ways to ensure clients' needs are at the heart of everything we do. Crawley is a prime example where another bureau outlet was needed due to the high demand for advice services, but with limited resources a new and innovative approach was necessary.

The bureau agreed a lease on a vacant unit for one year (cost free) with County Mall (the main shopping centre) supported by business rate exemption from **Crawley Borough Council**. Painting and decorating students from Central Sussex College freshened up the unit and Crawley Volunteer Centre and West Sussex Credit Union provided the computer equipment.

With support from Crawley Borough Council and West Sussex County Council the bureau was able to approach a number of organisations to work in partnership to provide specific services: Business Link, Central Sussex College, Crawley Borough Council, Crawley Volunteer Centre, Jobcentre Plus, Health Trainers, Next Step, Relate, Shaw Trust, Shelter and West Sussex Credit Union. Through this effective and wide-ranging partnership working **Crawley CAB** was able to offer additional information and advice – from claiming benefits to help getting a job or starting up in business – as well as offering credit union and volunteering opportunities.

### **Smarter working, better outcomes**

Improving public services at the same time as responding to the spending challenge facing every council is leading bureaux to explore how service delivery and efficiency could be improved. Increasingly bureaux are supporting 'smarter' ways of working with local authorities by sharing expertise and knowledge.

### **CASE STUDY**

**South Derbyshire CAB** delivered financial capability training to the council's housing department. This has helped council staff to distinguish between those unable to pay and those refusing to do so, when dealing with tenants' rent arrears. The training has resulted in the bureau getting early referrals instead of receiving information only days before an eviction.

Since July 2008 **Caerphilly CAB** has provided debt and money advice to **Caerphilly Borough Council (CBC)** housing tenants through surgeries held at various locations in the borough. CBC staff manage an appointment system that offers support to tenants struggling with their tenancies due to debt or budgeting issues. Many of the tenants have received some form of legal action against them, however of tenants referred for debt and money advice 70 per cent have maintained the agreements and have not progressed to the next court stage. The financial cost to CBC for evicting tenants for rent arrears is high and so the CAB continues to work in partnership with CBC on alternative solutions.

“ The services provided by Southwark Citizens Advice Bureaux provide a valuable safety net to residents facing a range of problems. The bureau helps us stay in touch with communities by sharing knowledge about these problems. We find ways to make things better by developing local solutions. An example of this is the advice clinic for people owing council tax. Together the council, the bureau and local solicitors have developed a new service that has delivered positive benefits for all involved. ”

**Councillor Abdul Mohammed, Cabinet Member for Equalities & Community Engagement, Southwark Council**

# Wales, Scotland and Northern Ireland

## Citizens Advice Cymru

Citizens Advice is the largest, integrated, third sector provider of advice in Wales, operating from 50 high street premises. With bureau services in every council area in the country, we also provide outreach services from an additional 216 outlets and help people to resolve their money, benefit, legal, employment and other problems. During 2010/11 bureaux in Wales dealt with over 392,000 problems, a 14 per cent increase on 2009/10.

## Citizens Advice Scotland

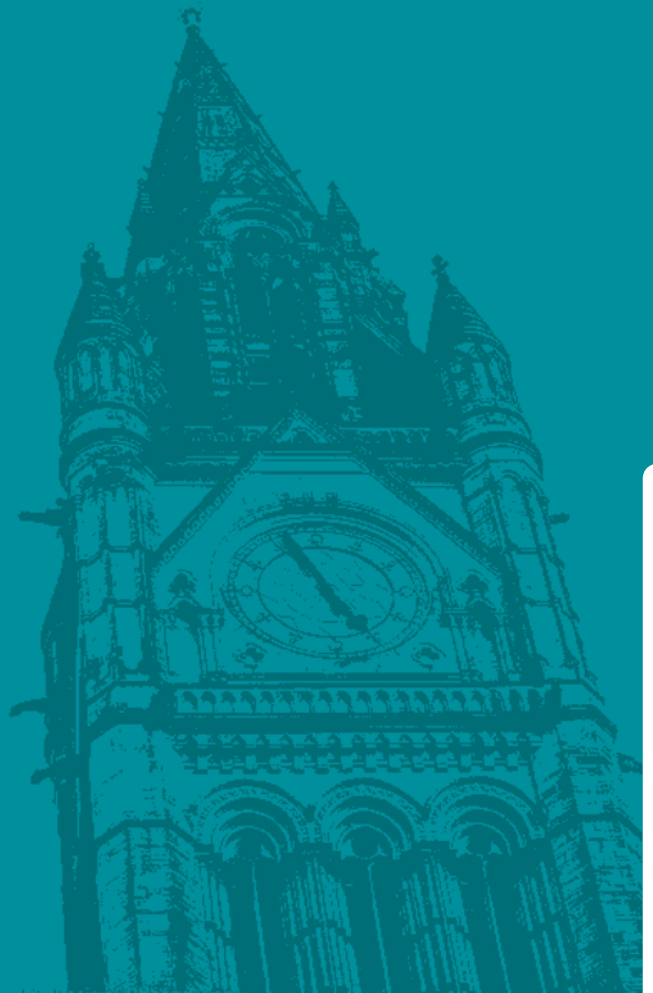
Citizens Advice Scotland (CAS) is the umbrella organisation for Scotland's network of 80 plus Citizens Advice Bureau offices. These bureaux, as independent charities, deliver free, impartial and confidential frontline advice services through more than 200 service points across the country, from the city centres of Glasgow and Edinburgh to the Highlands, Islands and rural Borders communities. For further information and to find contact information for your local bureau visit the CAS website at [www.cas.org.uk](http://www.cas.org.uk)

## Citizens Advice Northern Ireland

Citizens Advice Bureaux in Northern Ireland are members of Citizens Advice and also Citizens Advice in Northern Ireland. With around 30 offices across Northern Ireland, in 2010/11 the service dealt with over 90,000 clients on nearly 327,000 issues. More information can be found at [www.citizensadvice.co.uk](http://www.citizensadvice.co.uk)

“ The bureau provides an essential service in my area through advice sessions at the local community centre. I work closely with the bureau, and really appreciate all the help and support it gives to residents. The bureau staff and volunteers are a great team, and their advice services are a great asset to local people. ”

Councillor Stephen Lambert,  
Aylesbury Vale District Council





# Introduction to advice sections

Whether it is by email or face-to-face at your surgery or council meeting, residents will seek your advice, support and influence on a variety of matters.

The following sections of this guide will help you to deal with some of the issues residents are likely to raise, and includes questions you may like to ask them and the next steps to be taken. The guide does not seek to train you, or to turn you into an expert. Rather it aims to help you to guide the resident to resolve any problem he or she may have.

A wealth of self-help information is available online at [www.adviceguide.org.uk](http://www.adviceguide.org.uk) – the Citizens Advice information website which was visited over 14 million times in 2010/11. This site, which contains factsheets, regularly updated answers to frequently asked questions and advice on a range of topics is likely to be of use to you and your residents.

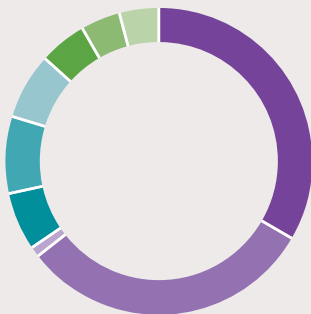
## Problems presented in Citizens Advice Bureaux during 2010/11

In the last year our bureaux advised over two million clients about more than seven million problems. The most recent breakdown of problem categories given by bureaux shows:

Advice category	Annual total
Debt	2,268,000
Benefits and tax credits	2,168,000
Employment	568,000
Housing	504,000
Relationships and family	342,000
Legal	301,000
Signposting and referral	169,000
Consumer goods and services	134,000
Financial products and services	132,000
Immigration and asylum	96,000
Utilities and communications	90,000
Health and community care	78,000
Tax	66,000
Travel, transport and holidays	51,000
Education	31,000
Other	91,000
<b>Total problems</b>	<b>7,089,000</b>

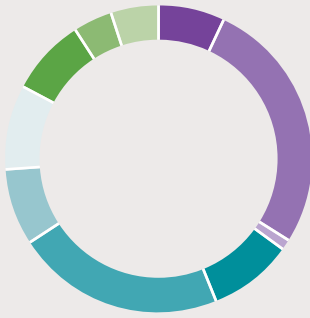
NB One client may have multiple problems

Signposting/referrals excluded. 'Other' includes health and community care, education and tax



Debt	33%
Benefits and tax credits	31%
Immigration and asylum	1%
All consumer	6%
Employment	8%
Housing	7%
Family	5%
Legal	4%
Other	4%

## Adviceguide public website – page views by category in 2010/11



Debt	7%
Benefits and tax credits	27%
Immigration and asylum	1%
All consumer	9%
Employment	22%
Housing	8%
Family	9%
Tax	8%
Legal	4%
Other	5%

**14** million visits from 9.5 million people to the Citizens Advice public information and advice website [www.adviceguide.org.uk](http://www.adviceguide.org.uk) in 2010/11

# Ten top tips to help residents survive difficult times

The effects of the economic downturn have been devastating for many. People have lost their employment or been asked to go on short-time working. They may have been struggling to keep their home. Older people living on their savings have seen prices rise whilst their income decreases. Debt problems may seem out of control.

Here are some simple tips to help your residents keep on top of things:

## **1. Do not bury your head in the sand**

Ignoring a problem will only make it worse. Do not ignore calls or letters from anyone you owe money to (your creditors). Contact them to explain why you are having problems. The sooner you do this, the more options you will have for solving your financial problems.

## **2. Get advice**

There are many organisations which offer free and independent advice such as Citizens Advice, Shelter, National Debtline and the Consumer Credit Counselling Service. Their advisers can assess your situation and work out the best course of action for you.

### **3. Pay your priority debts first**

If you have debts, there are some you need to pay first before others, called priority debts. This is because the consequences of not paying them can be much more serious. For example, mortgage or rent debts are a priority because if you do not pay these, you could lose your home. Free debt advisers can help you plan your budget and pay your priority debts first.

### **4. Work out a budget**

Work out how much money you have coming in and going out of your household on essential expenses like food, bills and travel to work. In England and Wales, you can use the budgeting tool on the Citizens Advice website to help you do this. Check to see if you can save money on your bills and whether you are claiming all your benefits (see below).

When you've drawn up your budget, work how much is left over to pay creditors. If you cannot afford to pay back all the money you owe, work out how much you can afford and offer to pay this. A debt adviser can help you do this.

### **5. Check to see about saving money on your bills**

If you are on a low income, you may be able to save money by getting help with your health costs such as prescription charges and dental costs. You may be able to claim help with education costs such as school meals and clothing.

You may be able to get a grant to help you pay for things like fitting home insulation and improving energy efficiency. Some people can get free help. This can help cut down the fuel bills.

Your gas and electricity supplier may be able to help you if you have fuel debts. To find out if you can get help, visit the British Gas Energy Trust website at: [www.britishgasenergytrust.org.uk](http://www.britishgasenergytrust.org.uk) or the EDF Energy Trust website at: [www.edfenergytrust.org.uk](http://www.edfenergytrust.org.uk). You may qualify for cheaper tariffs, called social tariffs. Check with your fuel company. Consider also consulting price comparison websites as you might get a better fuel deal with another company.

There are some charities which give grants to people to help pay their bills or buy essential items. You can find details of these charities on the Turn2Us website at: [www.turn2us.org.uk](http://www.turn2us.org.uk).

## 6. Check whether you can get benefits

Are you getting all the money you are entitled to? There may be benefits or tax credits you can get which you have not claimed.

If you are in work, you might get working tax credit even if you do not have children. If you have children, are you claiming child tax credit? Even people with quite large salaries can be entitled to this benefit. You may be able to get council tax benefit or housing benefit to help you pay your council tax and rent. You do not necessarily have to be out of work to get these.

If you lose your job, go to your local Jobentre Plus office and start claiming benefits as soon as you can. You might be entitled to benefits like jobseeker's allowance which could automatically entitle you to other benefits like council tax benefit or housing benefit. You can also get help with your mortgage interest after a few weeks of becoming unemployed.

In some cases, whether you are in or out of work, you can make a backdated claim for benefits, that is, you can get money for a period in the past.

In some cases, you can work for a few hours a week without your benefits being cut.

## **7. Think twice about taking out a loan to pay off your debts**

If you take out another loan, you may end up paying back a lot more than you borrowed and at high interest rates. You may not be able to afford the repayments. If the loan is secured against your home you risk losing it if you can't pay.

Make sure you understand exactly what a new loan might mean for you and get advice before you sign anything. Your local CAB can provide advice on managing your debts from finding out about credit unions to avoiding loan sharks.

## **8. Do not ignore your mortgage problems**

There are rules about the steps that mortgage lenders must take before they can start court action against you – so try and get advice as soon as you start getting into difficulty with your mortgage.

Selling your home and renting it back might seem like a quick fix to your debt problems. But many sale-and-rent-back schemes offer very little security. You could end up paying very high rent or even being evicted. Get advice before you sign up to one of these schemes.

If you are struggling with mortgage repayments, you may be tempted to send the keys to your lender or abandon your property. Do not do this without advice. You could still be responsible for the debt on the property and may be liable for it years later.

Always attend any court hearings yourself, and with an adviser if possible. Court proceedings do not mean that you will automatically lose your home. The court process acts as a final check to make sure repossession is the last resort. Ask in court whether there's an advice desk where you can get last-minute assistance.

## 9. Check your rights if you lose your job

Make sure your employer gives you your legal rights if you lose your job. You might need advice about your employment rights. For example, if you have been working for a year, you should not be dismissed unfairly (this includes being chosen unfairly for redundancy). If you have worked for two years, you may have the right to a redundancy payment. Nearly all workers are entitled to paid holiday and when you leave your job you should be paid any other money you are owed, such as unpaid wages, or unpaid holiday pay.

All workers have the right not to be discriminated against, and if you have been dismissed for a discriminatory reason, you do not have to have worked for a year to be able to make a claim to a tribunal.

You can get help to look for another job. You can get advice on how to fill in application forms and prepare for job interviews. There is extra support if you are a lone parent, disabled, over 50, leaving school or college, or if you have been unemployed for a long time. Learning new skills could improve your career prospects for when the recession ends. Some courses are free, or you may be able to get financial help.

You can get free, confidential career and training advice if you phone: **0800 100 900**.



## 10. Get help if you lose your home

Councils have a legal duty to provide help to certain people who are homeless or threatened with homelessness. You may qualify if you are in priority need. This could be because you have dependent children or are pregnant. Or it could be that you are vulnerable because you are elderly or have a physical or mental illness or disability. Get expert advice about how to make an application for housing if you lose your home.

Further help and a printable version of these tips is available from the Financial Skills for Life website

[www.citizensadvice.org.uk/financialskillsforlife](http://www.citizensadvice.org.uk/financialskillsforlife).

For more information on each of these areas see:

[www.adviceguide.org.uk](http://www.adviceguide.org.uk).

“ The benefit of the bureau for me as elected member was to be able to understand in greater detail the issues that residents in Liverpool face, so my energies can be better directed to help the residents and the agencies involved. The support from the bureau has developed my officers’ understanding and has also led to an improved working relationship between the bureau and Liverpool City Council. ”

**Councillor Joe Hanson**  
Chair of the Disputes and Appeals Panels,  
Liverpool City Council

# First steps for advice for Councillors

Whether someone emails, telephones or contacts you face-to-face for advice, there are several steps you can take to assess the urgency of their needs and establish the best next steps.

This may be to provide initial information, signpost the resident to an appropriate organisation, or to let them know you will be back in touch with them if you need to find out more information.

If it becomes clear that the person on the phone is upset, confused, difficult to understand or that there may be specific documents you need to see, then you may wish to suggest the person attends a drop-in surgery (if you run one).

1. Speak in a tone that conveys an atmosphere of calm, unhurried attention.
2. If on the phone, ensure you give your name and explain who you are.
3. Identify and respond to the caller's state of mind or feelings about their situation.
4. Give people time to fully explain their situation. You may identify that the person is having difficulty explaining their situation if on the phone – this might be because of language issues or disability. **In these cases you could suggest the person has a face-to-face meeting.** (As policy varies from council to council it may not be deemed appropriate to arrange face-to-face meetings in certain locations and so direct referral to the CAB is always an option available to Councillors.)

5. Summarise the resident's situation to them to show understanding and acceptance of their viewpoint.
6. Identify any urgent issues needing immediate action and discuss the possibility of tackling these before consideration of other issues.
7. Identify if the resident needs any other advice and help them to contact the appropriate organisation/helpline.
8. If it is necessary to see letters and documents you could arrange for the person to visit the surgery. **Please remember that if you are going to contact a third party on the person's behalf you will need a signed authorisation from them.**
9. Ensure you have taken the resident's contact details.

88%

of all Councillors surveyed are either 'very' or 'fairly' favourable towards their local CAB

ComRes, March 2010

# Signpost, refer or deal with personally?

When someone approaches you for assistance, there will normally be three options for dealing with their query:

**You might provide some initial information and then signpost or refer the resident to a council department or another organisation.** Please see the list of useful contacts at the end of the booklet. This will need to be supplemented with local agencies.

**Signposting** is where you provide information about other sources of help, and the resident makes contact with these themselves.

**Referral** is where you agree, with the person's consent, to contact another organisation to arrange an appointment for your resident. This is helpful when the case is urgent, the person is more vulnerable (for example, frail, elderly, or disabled) or you have already gathered a good deal of information which may be useful in progressing the case. Referral might also be appropriate if the person needs an interpreter or signer.

Your local CAB can help signpost or refer to a private practice solicitor once they have checked a person's eligibility for legal aid – this can be done at [www.communitylegaladvice.org.uk](http://www.communitylegaladvice.org.uk)  
If the person is not eligible for this support then it is important to advise them that there may be a cost involved.

Alternatively, the lawyer may be prepared to take their case on a 'no win, no fee' basis; although this should be made clear to the resident at the outset.

If a bureau is unable to help the resident directly, it will always find out who is the best organisation to do so in that case.

This guide provides an overview of the processes and procedures involved in managing residents' issues, although in many cases Councillors might decide the best course of action is direct referral to an appropriate council officer.

**You may feel that it would be helpful for you to take up the resident's issue or complaint and you may write an email or letter on their behalf.** Equally a council officer may be able to assist and respond on the resident's behalf and will avoid issues around record keeping and the Data Protection Act (1988).

There is legal protection if people are treated unfairly because of their race/gender/disability/sexual orientation/religion or belief and (from April 2012) age. Before April 2012, age discrimination only applies to employment issues. It is always worth asking if your resident feels that this could apply to their situation.

When there has been an apparent lack of progress in dealing with a matter the intervention of a Councillor can often help a resident in obtaining a response from the council or other organisations.

If residents have problems with government agencies, for example the immigration service, the involvement of the local MP can be an effective route to action. In the majority of other cases, the initial intervention of an independent advice agency would be helpful.

# Debt, money and tax

## Dealing with debt

Citizens Advice Bureaux have seen a dramatic increase in the number of debt enquiries they have dealt with over the last 10 years. Debt is the number one advice issue in bureaux, accounting for one in three of all enquiries. CAB advisers around the country are dealing with over 9,500 new debt problems every working day.

When assisting residents who approach you with debt or money related issues in most cases you will signpost or refer to the CAB or a local advice provider. The most important thing to find out is the urgency of the situation and if possible advise the organisation you are referring to of this.

It is extremely important to reassure people in debt not to panic, but impress upon them the importance of prompt action as if the problem is ignored, it will not just go away. Having all the necessary information to hand, with details on actions already taken, can make it easier to identify the urgent matters to deal with.

### **Key dates to check with the resident:**

- Court and eviction hearing dates/bailiff dates.
- When any court forms need to be returned by.

## What people should take with them if seeking further help:

- Statements and correspondence from creditors.
- Court papers.
- Utility bills.
- Proof of income.
- Copies of any insurance policies.

## Key steps for someone to take when dealing with debt:

### Step one – to make a list of their debts

Before a debt problem can be tackled, the exact problem and its size need to be understood. The resident needs to collect as much information as they have about their financial affairs including making a list of all of their creditors.

They will need the following information for each debt:

- The name and address of the creditor.
- The account or reference number.
- The amount owed.

### Step two – to work out their budget

The resident needs to list all the income and expenses for their household. Encourage them to be honest and make sure that the amounts are realistic.

When the resident has added up all the figures, they will see if they have any money left over to pay their debts. An independent advice agency can help the resident draw up a budget and help them to increase their income if this is possible.

### **Step three – sort out priority debts**

When the resident has worked out how much they have left over after paying their expenses, they need to contact each of their priority creditors. Some debts are more urgent than others because the consequences of not paying them can be more serious than for other debts. These are known as priority debts and include debts which if not paid could result in loss of home, essential services or liberty. Council tax issues should be forwarded to the appropriate team within the council who can start looking at the case at the earliest instance.

### **Step four – sort out non-priority debts**

How the resident deals with their non-priority debts will depend on whether they have any money left over from dealing with their priority debts and paying for essential household expenses like housing costs and food.

Residents may have a number of options for dealing with their non-priority debts, including one of the debt remedies designed to help people with little or no spare money. An adviser can help residents to work out and implement the best course of action for them.

### **Online tools**

There are a range of tools online to help you help your residents manage their money.

[www.adviceguide.org.uk](http://www.adviceguide.org.uk) includes template letters, budget calculators and interactive guides to help residents work through their finances.

Further help to avoid slipping back into debt is available from the Financial Skills for Life website

[www.citizensadvice.org.uk/financialskillsforlife](http://www.citizensadvice.org.uk/financialskillsforlife)



# Housing

Housing queries will generally be about one of the following areas:

- Homelessness or threatened homelessness.
- Housing conditions/costs.
- People wanting to be re-housed or move.

The first step with most housing enquiries is to find out the person's housing status. This determines most rights, and how secure a resident is in their home.

The rules on access to housing are different for some people depending on their immigration status. Applying for council housing counts as recourse to public funds and some people who have lived abroad may not be eligible for housing. This should always be checked before giving advice or information.

The council's housing department will be able to provide further information and guidance and it may be worth consulting them in advance to check the position as the rules involved in this area are complicated.

## General details to establish:

- When did the resident move into the property?
- If they are the owner, is there a mortgage?
- In whose name(s) is the tenancy agreement/mortgage contract?
- What rent, if any, is paid?
- Who is the resident's landlord/lender?
- Who does the resident pay rent to?
- Does the accommodation come with a job?

## Private rented tenants:

- Does the landlord live in the same building as the resident?
- Did the resident move from another property owned by the same landlord?
- Does the resident share accommodation with anyone who is not in the resident's household?
- Has the resident got a written agreement, letters, receipts for rent and/or deposit?
- If the resident has nothing in writing, what did they agree verbally?
- Is there a verbal or written agreement for a fixed term?

## Homelessness or threatened homelessness

This is nearly always urgent and will need to be signposted or referred to the council's homelessness team, local CAB, Law Centre or independent advice agency. This includes cases of domestic violence. In some instances Councillors may wish to take up the issue directly with the council on the resident's behalf.

## Questions to ask:

- Are you homeless or threatened with eviction?
- Is there an emergency, for example court dates, eviction notices, court warrants?
- Have you been in touch with the council's homelessness unit and if so what was their response?
- Have you had a decision letter from them (with Section 184 of the Housing Act 1996 in the heading) and if so what did it say?
- What was the date of that letter? (People only have 21 days to request a review in those cases).

## Key dates to check:

- Date of start of tenancy – if the person has been a council or housing association tenant for less than a year and has rent arrears, or has done something else in breach of their tenancy agreement this makes the situation more urgent.
- Any court hearing dates.
- Any eviction date (bailiffs).
- Date of Section 184 letter.

## What people should take with them if seeking further help:

- Rent/mortgage statements.
- Tenancy agreement/mortgage contract.
- Court papers.
- All correspondence with landlord/mortgage lender including any notices served.
- Housing benefit letters.
- Proof of income.
- Correspondence received relating to homeless application.
- Passport/immigration information.

## Tests to determine homelessness

If a resident applies to a council as homeless, the authority will apply five tests to determine what duties are owed.

While Councillors are not involved in the assessment process or determining if a resident qualifies they can advise as to what is likely to be tested. The following information aims to give a general overview of test areas.

### Test 1: Eligibility for assistance

- Is the resident subject to immigration control, or not habitually resident in the UK?

### Test 2: Legally homeless or threatened with homelessness

- Where is the resident living now?
- Why does the resident need to leave their current accommodation?
- When?

### Test 3: Priority need

A resident will normally have a priority need if they, or anyone in their household:

- is pregnant
- has a dependent child or children
- is homeless due to emergency, for example flood, fire or other disaster
- is aged 16 or 17 (social services may have a duty to accommodate and support a 16/17 year old)
- is aged between 18 and 21, with a care background
- is vulnerable because of old age, illness, disability, or other reason.

Or someone may have a priority need if they have:

- been in care, prison or the armed forces
- experienced domestic abuse/violence.

#### **Test 4: Intentional homelessness**

- Why did the resident leave their last accommodation, or why are they being asked to leave their current accommodation? (Sometimes they will be asked about earlier accommodation).

#### **Test 5: Local connection**

- Which council does the resident want to apply to?
- Has the resident lived in that area? When and how long for?
- Is there a family member in the area whom they want to live near?
- Does anyone in the household have a job in the area? (Not casual employment).
- Is there a special reason for wanting to live in that area?
- If the resident has no connection with the preferred council area:
  - does the resident have a connection with another area?
  - if not, does the resident have a special reason why they do not want to live there? (For example, fleeing violence).

### **Housing conditions and costs**

These problems could be about disrepair, service charges for leaseholders, or residents generally having difficulty meeting housing costs. Information in the 'Debt, money and tax' and 'Benefits and tax credits' sections of this guide may be useful here.

In most cases these issues are less urgent, but if arrears are building up the situation could become more serious. You may decide to write to the landlord or the council on behalf of your resident, or signpost/refer to a local CAB, Law Centre or independent advice agency.

In serious disrepair cases the council's Environmental Health Officer may be contacted to become involved.

It is important to remember that if a resident has little security of tenure, trying to enforce legal rights, for example, rights to repair, may put them at risk of being evicted.

## Illegal eviction and harassment

Illegal eviction and harassment from a landlord or someone acting on their behalf can be serious. These cases should be referred to the council's Tenancy Relations Officer or local advice agencies.

Information to establish:

### **Illegal eviction:**

- What has the landlord (or someone instructed by them) done to make the resident leave? For example: locked them out, threats, moved someone else in.

### **Harassment in housing:**

- Has the landlord (or anyone instructed by them) made the resident's life difficult (to try to get them to leave)? For example, cutting off gas/electric, changing locks, coming in uninvited, late night visits, racial/sexual abuse, threatening behaviour?
- Is there any suggestion of discrimination?

## Housing options

A resident may be looking for housing because they have none, or their current accommodation is unsuitable for a range of reasons.

It would be useful to be familiar with the council's housing allocation policy and to have an awareness of other social housing providers that operate in the area, so that you can explain this to people.

In these cases, which are not usually so urgent, you may choose to write to the council on the resident's behalf or refer to a local CAB, Law Centre or independent advice agency.

**Information to establish:**

- Why is the resident looking for accommodation?
- Do they want to stay in their current accommodation?

**Short-term options**

Does the resident need emergency or temporary accommodation? Options to explore include:

- hostels or temporary accommodation projects
- a refuge
- family or friends.

**Longer term options**

- Has the resident applied for council or housing association accommodation or a transfer?
- Private rented accommodation – does the resident have money available for upfront rent and deposit?
- Does the resident need accommodation with support?
- Has the resident made a homeless application or an application for housing allocation to the council?
- Does the resident want to own their own home? (Low cost housing schemes).

**Next steps:**

- Take up the matter with the council housing team.
- Refer the resident to a local CAB, Law Centre or independent advice agency.

# Benefits and tax credits

In 2010/11, CAB advisers helped with over two million benefit and tax credit problems. Your residents may be entitled to receive benefits if they are on a low income or have certain costs to meet because of their personal situation.

They should check if they are eligible for support if any of the following apply to them:

- They are on a low income (employed or looking for work).
- They have dependent children.
- They are ill or disabled.
- They are caring for someone.
- They are approaching the age of retirement.
- They have been bereaved.
- They are pregnant or have recently had a baby.

The rules on claiming benefits are different for some people dependent on their immigration status, and how long they have been in the UK.

Applying for some benefits is counted as recourse to public funds and people who do not have indefinite leave to remain are generally not eligible. This should always be checked before giving advice or information.

In most cases issues with benefits should be referred to local advice providers. They can help with maximising income and challenging decisions.



The situation may be urgent (for example, the person has no money at all, appeal time limits). Many councils still provide in-house advice on welfare and benefits, as well as pensions, and so the relevant council team should also be able to offer assistance.

People may seek your help where there has been an unreasonable delay in dealing with their case. If there is a delay in payment of housing or council tax benefit this could be serious as it could lead to the threat of court proceedings, eviction or other actions.

### **Key issues, dates and time limits to check:**

- Emergencies (for example, no money at all).
- Immigration status.
- Decision letter dates.
- Other deadlines, for example, for forms to be returned, information to be supplied.
- Interviews to be attended.
- Dates of relevant changes in circumstances.
- Appeal time limits:
  - DWP decisions – one month.
  - Tax credit decisions – 30 days.
  - Review of Social Fund decisions – 28 days.

### **Questions to ask:**

- What is the problem with your benefits?
- If the problem is housing benefit, is there an eviction risk?
- What are your circumstances (for example, reasons for being on/claiming benefits, low income, disability)?
- Is there an emergency (for example, no money at all, appeal time limits)?

## Key dates to check:

- Decision letter dates.
- Any deadlines given.
- Date of relevant changes in circumstances, for example, relationship breakdown.

## What people should take with them if seeking further help:

- Own and partner's national insurance numbers.
- Bank statements.
- Award letters or proof of benefit (including child benefit).
- Rent statement (if relevant for housing benefit).
- Any letters from benefit authorities.

## Information on some of the most commonly claimed benefits

In November 2010 the Government announced plans to reform the welfare benefits system to replace some of the benefits currently available to those of working age with one 'universal credit' payment. These include jobseeker's allowance, employment and support allowance, housing benefit, income support, and child and working tax credits. From late 2013 new benefits claimants will be automatically moved on to universal credit.

### **Attendance allowance**

A resident may be entitled to attendance allowance (AA) if they are disabled, have care or supervision needs and are 65 or over. They must not be living permanently in hospital or accommodation funded by the council, for example, a council care home. The resident must have lived in the UK for six months in the last year, unless they are terminally ill when it does not matter how long they have lived here.

They must be living in the UK when they claim AA and the UK must be their normal place of residence. They must not be subject to immigration controls that would stop them getting the benefit.

### **Carer's allowance**

Carer's allowance is a benefit to help people who look after someone who is disabled. You don't have to be related to, or live with, the person you care for.

### **Child benefit**

Child benefit is a tax-free benefit paid to most people with children. Residents do not need to have paid any national insurance contributions to receive child benefit and it does not matter how much money they have coming in. Residents may be able to receive child benefit if they are responsible for a child aged under 16, or a young person aged under 20 if they are still in full-time education up to 'A' level or equivalent, or on certain approved training courses. The 2010 Spending Review announced that child benefit would no longer be payable to families with a higher rate tax payer from January 2013.

### **Child tax credit**

Child tax credit (CTC) is intended to help people responsible for at least one child. It is paid by HM Revenue & Customs (HMRC). Residents can receive CTC whether or not they are working. Residents receive money for each child for which they are responsible. Where two people live together as a couple, they need to make a claim for CTC as a couple.

### **Council tax benefit**

Council tax benefit is intended to help people on a low income pay their council tax. It is paid by the council. If a resident is entitled to council tax benefit, their council tax bill is reduced. The Government has announced that from 2013 council tax benefit will become localised and entitlement set by local authorities.

## **Disability living allowance**

Disability living allowance (DLA) is intended to help disabled people under 65. To receive DLA, a resident must have personal care or supervision needs or difficulty with walking (also called mobility) because of either a physical or mental disability. DLA has two parts, the care component and the mobility component. The care component is paid at three rates depending on how often and how much the resident needs care. The mobility component is paid at two rates, depending on how much difficulty they have walking. Depending on their needs, a resident may receive one component of DLA, or both together. DLA is to be replaced with a new personal independence payment from 2013.

## **Employment and support allowance**

Employment and support allowance (ESA) is intended to help people who are too sick or disabled to work and who meet certain conditions. It is paid by the Department for Work and Pensions (DWP). For new claims, it replaces incapacity benefit and severe disablement allowance, which were previously paid to people who are not well enough to work. Since October 2010, Jobcentre Plus has begun the process of reassessing claimants of these benefits for entitlement to ESA. The process is expected to be completed by 2014. If a resident is receiving incapacity benefit or severe disablement allowance, they will carry on getting it until they receive a letter advising that their claim will be reviewed and they are moved onto ESA. A work capability assessment is required in most cases to determine whether someone is in fact too sick or disabled to work and to determine whether they should be put into the ESA support group or the work related activity group.

## **Housing benefit and support for mortgage interest**

Housing benefit (HB) is intended to help people on a low income pay their rent. It can be paid to people who work part-time or full-time, or to people who do not work at all. People cannot receive HB to help with the costs of a mortgage or home loan. If a resident is an owner-occupier, they may be able to receive help with their mortgage interest payments through the support for mortgage interest scheme. Help is available to claimants in receipt of income-based jobseeker's allowance, income-related ESA, income support or pension credit.

## **Income support**

Income support (IS) is paid to help people whose income is below a certain level. It's for people who don't have to sign on as unemployed. It is means-tested, which means that most money a resident has is taken into account in deciding how much IS they should receive.

It is an important benefit because once you get it you can automatically get maximum HB and council tax benefit and other help, for example, with health costs.

## **Jobseeker's allowance**

Jobseeker's allowance (JSA) is intended to help people who are unemployed but capable of work. To receive JSA they must meet several other conditions, which include showing that they are looking for and available for work. There are two types of JSA i) contribution-based (non-means-tested) and ii) income-based (means-tested). Residents with a contributions record are entitled to contribution based JSA for a maximum of six months. When a resident applies for JSA, the Jobcentre Plus office will work out which type they should be paid.

## **Working tax credit**

Working tax credit (WTC) is intended to help people who are working but on a low income. WTC is paid by HM Revenue & Customs (HMRC) directly into a bank or building society account, or into a post office card account.

*The above is not a complete list of all available government support. The welfare benefits system is complex and interlinking – being deemed eligible for one benefit can make a resident eligible or ineligible for another benefit.*

*Where you have questions regarding welfare and benefits enquiries for residents, please do not hesitate to contact your local Citizens Advice Bureau who can put you in touch with an adviser who specialises in this area.*

**46%** of people felt less anxious, stressed or had fewer health problems after using a CAB

**MORI, 2005**

# Employment

The recession has had a significant impact upon the volume of employment related enquiries that bureaux have been dealing with. Nearly 570,000 employment related problems were seen by bureaux during 2010/11, predominantly related to dismissal, pay and entitlements and terms and conditions. Many workers seek our help because they have not been fairly treated at work; for example their minimum legal rights to paid holidays, sick leave and maximum working hours being flouted.

There are specialist employment advisers in some bureaux who can advise residents and represent them at tribunals.

People may come to you because they are having problems at work. They may have been dismissed, or they may have been harassed, bullied or discriminated against. They may feel that their employment rights have been breached or they are owed money by an employer. They may have had an accident at work. They may be looking for help to find employment.

## Questions that advisers will ask:

- What has happened?
- Are you still working? If not, were you dismissed, made redundant, walked out, suspended? Were you on a fixed term contract which came to an end? Have you been dismissed while on maternity or sick leave?
- How long were you employed?
- If you were dismissed have you been given any notice? How much?

- Are you employed or self-employed? Are you an agency worker or a casual worker?
- What is the nature of the job?
- Do you have a contract or anything in writing, for example a letter, or statement?
- Are you a member of a trade union?
- Has your employer been following a procedure, for example grievance or dismissal?
- Do you feel you have been discriminated against? For example, have you recently told your employer you were pregnant? Have you been dismissed or disciplined because you took too much time off sick or took a religious holiday?

### **Key dates to check:**

- When did the issue first take place?
- When did the matter last occur?
- Date of dismissal – usually last day at work.
- Any meetings or tribunal dates.

### **Time limits:**

- Claim to an employment tribunal – within three months of the date of the act which is being complained about, or of the date of the dismissal. It is safest to count three months less one day from the last day worked. There is a six month time limit for equal pay and statutory redundancy pay.

### **What people should take with them if seeking further help:**

- Correspondence with employer or any record, such as a diary, of what has happened, who said what to whom.
- Written terms and conditions of employment, letter of appointment, staff handbook, details of company disciplinary or grievance procedure.

The council's union is another source of local support regarding employment issues.



# Immigration

People may come to you because of delays in a decision about an application to the Home Office/UK Border Agency. They may come for advice about relatives, or a partner joining them from abroad.

**Some residents will need to see a specialist adviser straight away to work out how they can best be helped.**

## Questions that advisers will ask:

- Is the enquiry about you, someone else in the UK or someone abroad?
- (If the resident is an asylum seeker) Is the enquiry about your asylum case, or asylum support?
- What is your nationality and your partner's nationality? Are you from a country which requires a visa to enter or stay in the UK (visa nationals)?
- Are you/your partner a British or EEA (European Economic Area – the EU plus Norway, Iceland, Lichtenstein) citizen?
- Do you know what you/your partner's current immigration status is? Are they in the UK temporarily as, for example, a visitor, or student, or are they in the UK, or wishing to come to the UK, permanently as, for example, a spouse or dependent elderly relative? (Their immigration status will determine what they can do in the UK, whether they are allowed to work or not, and whether they are allowed to bring in dependents).

- Do you have any recent letters from the Home Office about your immigration status?
- Is there a time limit on your stay in the UK? When does your leave to stay in the UK end? If it has already run out you will need specialist advice immediately.
- Do you have a lawyer and/or are you being supported by Asylum Support?
- Do you have a passport? What stamps/visas does it have in it?
- Do you want to switch from a temporary immigration status (such as a student or visitor) to a permanent immigration status (such as a spouse)? If so, you will need specialist immigration advice.

### **If someone is coming from abroad:**

- What country are they coming from?
- What is their purpose in coming to the UK, for example holiday, work?
- How long do they want to stay?
- If coming to join the resident, what is the resident's immigration status?
- Where are they going to live?
- How will they support themselves financially (for example savings, work, person in the UK will support them)?  
Many people coming to the UK are not allowed to claim benefits or have access to council housing.

### **If wanting to change status or extend their leave:**

- When does their leave to stay in the UK run out?
- For how long do they want to stay?

- Why do they want to extend their leave or what status do they want to change it to?
- What is their nationality and what status have they entered the UK under the points-based system if non-EEA?

### **If wanting to apply for British nationality:**

- Is the resident under 18?
- What is their present nationality? Are they an EEA national?
- Are they applying as the spouse of a British citizen?
- Were they born or adopted in the UK? If so, when?
- How long have they lived in the UK? Have they been here lawfully for all that time?
- How much have they been out of the UK in the past three years?
- Was either of their parents born in the UK, or have they acquired British Citizenship?
- Do they have sufficient knowledge of life in the UK and sufficient command of the English language?

### **If there is a problem with Asylum Support:**

- Has the resident reached the end of the asylum process and been refused?
- Is the problem with accommodation, financial support or both?
- Does the resident have any children? Or is she pregnant or recently had a baby?
- Is the resident destitute?

## Key dates to check:

- Date of arrival in UK.
- Date of a decision by immigration authorities.
- When leave to stay in UK runs out – if applicable.

## Time limits:

- Appeal against most immigration decisions – five days.

## What people should take with them if seeking further help:

- Passport or travel documents.
- Any letters from Home Office, UK Border Agency (UKBA) or Asylum Support.

Some Citizens Advice Bureaux have specialist immigration advisers. Most do not – but it is vitally important to send the resident to a specialist adviser such as a specialist immigration solicitor. See details on the Immigration Lawyers Practitioners Association (ILPA) website: [www.ilpa.org.uk](http://www.ilpa.org.uk) and check locally what services are available. All Citizens Advice Bureaux in England and Wales have access to specialist immigration advice through the Legal Services Commission (LSC) Specialist Support Service for immigration and asylum advice.

Quite often issues of immigration are picked up by the local MP as this can be an area Councillors prefer not to get directly involved with. The communication channels open to MPs means that they are also in a better position speed up cases and progress matters.

# Ombudsman services

Where a resident has a complaint against the council or another organisation, and that organisation's complaints procedures have been exhausted, you may wish to suggest referral to an ombudsman. You merely have to point the resident in the right direction.

Remember that approaching an ombudsman is only appropriate where the case involves maladministration. Complaints must therefore relate to the way in which an organisation has dealt with a situation or reached a decision, not with the correctness of the decision or course of action itself.

Consulting with the appropriate team within the council involved would be advisable if you have not done so already. Liaising with your local MP is also another mechanism for dealing with this level of complaint, as they are often able to make a referral on the resident's (constituent's) behalf.

Examples of maladministration could include:

- An organisation not following its own policies or procedures.
- Rudeness.
- Delay in taking action or failing to take action.
- Treating someone unfairly compared to others.
- Giving wrong or misleading information.

You also need to bear in mind that the ombudsman will not investigate a case if it is about to go to court or if court action has been started. Indeed, they may not wish to deal with it at all if they feel it could be better dealt with in a court of law. The complainant must have already complained to the organisation concerned; the ombudsman will not hear new cases. Nor will they accept a complaint about something which affects all or most of the inhabitants in a local area – it has to be something which has affected your resident as an individual.

### **What can the ombudsman do?**

If the ombudsman decides to accept the case (and they do have the discretion to refuse), they will investigate the matter and produce a report, which is sent to the complainant and to the organisation about which the complaint has been made.

If the ombudsman agrees that the complaint is justified and that the resident has suffered injustice or hardship, the report will ask for one or more of the following:

- An apology.
- Financial compensation or repayment of money due, for example, tax or benefits.
- Better facilities, for example, for patients.
- Better administrative procedures.
- Better instructions for staff.

There is no appeal against the ombudsman's decision. Decisions are not legally binding, but do tend to be complied with.

## Which ombudsman?

There are many and their number has been increasing.

### **Local Government Ombudsman**

The Local Government Ombudsman is the most relevant for Councillors and can deal with complaints of maladministration in the following organisations:

- local authorities (but not town or parish councils)
- joint boards of local authorities
- police and fire authorities (not complaints about individual police officers)
- national park authorities
- the Environment Agency (flood defence and land drainage matters only)
- Education Appeal Panels
- the Greater London Authority
- school governing bodies (admission matters only).

A resident can send their complaint directly to the Local Government Ombudsman for your area or you may be asked, as a Councillor, to do this on their behalf.

[www.lgo.org.uk](http://www.lgo.org.uk)

0300 061 0614

### **The Parliamentary and Health Service Ombudsman**

The Parliamentary and Health Service Ombudsman can take up complaints “that government departments, a range of other public bodies in the UK, and the NHS in England have not acted properly or fairly or have provided a poor service.”

The Parliamentary and Health Service Ombudsman can only deal with complaints about the Health Service in England.

Complaints about the Health service in Wales can be made to Public Services Ombudsman for Wales.

Examples of the type of complaint the ombudsman could deal with are:

- slow or unsatisfactory responses to letters to government departments
- incorrect or misleading information and advice given by government officials
- refusal by government officials to give information
- rudeness, discrimination or unhelpfulness of government officials
- failure to follow reasonable rules in procedures and administration.

And in England only:

- poor health services, such as a long wait for treatment or an operation
- failure to provide a disability aid
- dirty wards at a hospital
- unhelpful or inadequate staffing at a hospital
- the care and treatment provided by a doctor, nurse or other trained professional
- complaints about GPs, dentists, opticians and pharmacists working for the NHS.

The ombudsman cannot usually look into the following types of complaint:

- problems which can usually be taken to court
- complaints about the police
- complaints about things which have not caused the person who's complaining hardship or suffering
- complaints about government policies



- complaints reported to a Councillor more than 12 months after the resident became aware they had a reason to complain
- complaints relating to services in a non-NHS hospital or nursing home (unless they are paid for by the NHS)
- decisions an NHS authority or individual providing NHS services has a right to make, even if you do not agree with the decision.

[www.ombudsman.org.uk](http://www.ombudsman.org.uk)

Complaints helpline 0345 015 4033

### **Public Services Ombudsman for Wales**

The ombudsman can look into complaints about a large number of bodies including local government, NHS organisations – including GPs – housing associations and the Welsh Assembly Government.

[www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

01656 641 150

### **Financial Ombudsman Service**

The Financial Ombudsman Service can deal with consumer complaints about most personal financial matters including:

- financial advice
- banking services
- endowment policies
- mortgages
- personal pension plans
- building society services
- insurance.

It mainly deals with consumer complaints about companies which are authorised by the Financial Services Authority. You should contact the Financial Ombudsman Service consumer helpline directly to find out if it can deal with your complaint and send a complaint form.

There is a time limit for making the complaint. This is six months from when you get a final decision from the company about how it is going to deal with the matter.

**[www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)**  
0800 023 4567

### **Housing Ombudsman**

The Housing Ombudsman Service deals with complaints about 'registered' housing providers in England, including housing associations and other landlords, managers, and agents.

If a resident has a complaint against a landlord, or management agent, they must first check if it is a member of the service. They can search the members' directory on the ombudsman's website.

**[www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)**  
0300 111 3000

### **The Energy Ombudsman**

Through the Energy Ombudsman, consumers can seek help with disputes with their energy supply company or network operator.

They may be able to deal with a resident's complaint if they have exhausted their supplier's complaints process or if the complaint is more than eight weeks old.

**[www.ombudsman-services.org/energy/html](http://www.ombudsman-services.org/energy/html)**  
0330 440 1624

# Discrimination and harassment

In 2010/11 bureaux advised on 28,500 discrimination problems, most of which concerned employment. There was seven per cent more employment discrimination recorded than in 2009/10. A discrimination problem can often lead to a complex web of issues including debt, homelessness and relationship breakdown.

While Councillors may rarely become involved in specific cases (often requiring specialist knowledge) the following is an overview of the general process.

## Key points to consider when advising the resident:

- Discrimination is a complex and constantly changing area of the law; legislation has been introduced and amended bit by bit over the last 30 years, often inconsistently, and has given rise to contradictory or ambiguous case-law.
- Faced by a resident with an employment enquiry, it is sometimes difficult to pinpoint discrimination. Sometimes it doesn't occur to residents that what has happened to them may have been discrimination, or they believe that it was, but feel uncomfortable about voicing this view.
- However, when exploring facts which may lead to a discrimination claim being lodged, it is in your resident's interest that they are challenged and held up to scrutiny, because, ultimately, that is what will happen to her/him in the tribunal. Your local CAB can help any possible case be prepared appropriately.

- If a claim is to be lodged, it must have a legal basis. The resident must be sure of exactly which parts of which legislation they are relying on, and that the facts, as stated by the resident, and supported by the evidence, bring the claim within the relevant provisions. If a case has no legal basis, the resident may end up with a costs order for bringing a misconceived claim.
- For a claim to succeed, the discrimination must be because of one of the following:
  - race
  - disability
  - sex or sexual orientation
  - religion or belief
  - gender reassignment
  - pregnancy and maternity
  - age (in employment and further and higher education only)
  - marriage and civil partnership (employment only).
- Discrimination specialists will need to help residents arm themselves with a realistic view – neither too alarming, nor too optimistic – of what can be achieved by taking tribunal action and what potential pitfalls exist.
- Discrimination claims about employment are taken through the employment tribunal system. Discrimination claims about access to goods, facilities and services, including health and education issues and insurance, are taken through the courts.
- Whilst there is no statutory limit to the compensation that a court or tribunal can award to a successful claimant, there are time limits to when claims can be lodged, which can be subject to extension if specific steps are taken.

## What people should take with them if seeking further help:

When a discrimination issue has been identified on initial contact, this is a good opportunity to give the resident an initial letter or checklist.

### **In employment cases:**

- Contract of employment.
- Staff handbook.
- Documents relating to policies and procedures, such as a sickness/harassment/anti-bullying policy, disciplinary or dismissal procedures, grievance procedure.
- Details of employer's name, address, telephone number, company registration number.
- The address of the place of employment.
- Employee or pay-roll number.
- Payslips.
- Details of current income.
- Details of pension schemes or work-related benefits.
- Any correspondence relating to the employment, including letters and emails.
- Details of trade union membership.
- Details of GP and any other person who has been treating her/him for an illness or condition.
- Any work or personal diary covering the period over which the problems occurred.
- The names and contact details of any witnesses who might be prepared to give statements in relation to events that took place.
- Any other documents or evidence in the resident's possession that are relevant.

### **In non-employment cases:**

- Details of the person or organisation who may have discriminated against the resident, what are the facts of what happened:
  - When and where the incident(s) happened.
  - Whether there were any witnesses to the incident(s).
  - You must identify what disadvantage the resident suffered. Without a clear disadvantage, the resident's claim will probably not succeed.
  - What were the circumstances around each incident? Investigating these circumstances might show that factors other than discrimination were involved.
  - What factual examples of unfair treatment can the resident give? It is fundamental to a discrimination case that a resident has some specific examples of unfair treatment. Were other people treated better than the resident?

### **Other things to consider in non-employment cases:**

- **Deciding what action to take**

As a general rule, it is best to try to resolve the problem informally in the initial stages. Informal action may stop the problem escalating and avoid stress and expense for everyone. However, if the time limit for starting legal action is close, there may not be time to resolve the problem informally before starting legal proceedings. Clearly both residents and Councillors should seek professional advice in order to feel confident in taking the appropriate action.

- **Complaining informally about discrimination**

The resident may be able to achieve this by talking informally with the person or organisation that they feel has discriminated against them. The resident should keep a record of the conversation and make a note of the date, or follow up the conversation with a letter recording what was discussed.

- **Complaining formally about discrimination**

If the problem is not resolved informally, the resident should follow the individual or organisation's own complaints procedure. If there isn't one, the complaint should be made in writing and sent by recorded delivery. The letter should include:

- a description of the service
- the names and job titles of the people involved
- an outline of what happened
- the date and time of the incident(s)
- a description of how the incident(s) affected the resident
- what the resident wants the organisation to do now, for example, apologise, review a decision already taken, commit to better staff training on discrimination issues and/or offer compensation
- a deadline within which the resident expects a reply.

The resident should keep copies of any correspondence.

- **Considering reporting discrimination to the Equality and Human Rights Commission (EHRC)**

It is likely that there will be local organisations that can provide specialist support, should the expertise needed not be available locally the EHRC can be contacted.

The EHRC will not normally take on individual cases, but can give advice over the phone. If the EHRC finds that a public authority has failed to comply with a specific equality duty, it can serve a compliance notice.

- **Considering mediation conciliation or arbitration**

Mediation, conciliation or arbitration is where people on different sides of a dispute use an independent professional to help them find a solution to a problem. Both sides have to agree to use mediation, conciliation or arbitration. The resident may get legal aid for this.

The Equalities Mediation Service (EMS) resolves equalities disputes by providing an independent, free and impartial service. It can be accessed through referrals from the EHRC.

- **Starting court action in a discrimination case**

Court action can be time-consuming, expensive and stressful for all involved. A resident also needs to be aware that if a case goes to court, they may come face-to-face with the person(s) who discriminated against them. The majority of discrimination cases are dealt with by the civil courts. This will usually be the local county court.



## Referring residents to other organisations

In addition to the local CAB or other local voluntary organisation providing support, there are other alternatives.

### **Trade unions**

Most unions offer representation and may be in a better position to settle the matter internally because they have an established relationship with the employer. It is very unlikely that a union will take the matter over once an external adviser has started proceedings on behalf of a union member. On the other hand, sometimes members of the union may be perpetrators of the discrimination, or your resident is finding it difficult to get their union representative to recognise that discrimination has occurred.

### **Pro bono legal services**

Information on the Bar Pro Bono Unit and its criteria for accepting referrals is at

[www.barprobono.org.uk/applications/procedures](http://www.barprobono.org.uk/applications/procedures)

and the Free Representation Unit at

[www.freerepresentationunit.org.uk](http://www.freerepresentationunit.org.uk).

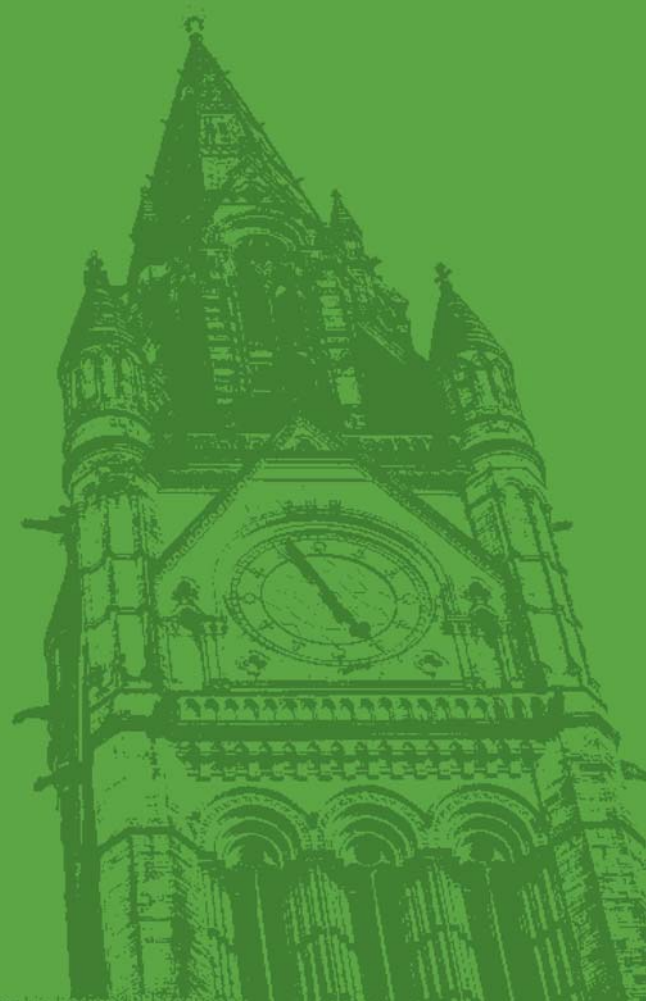
### **Legal aid**

If a resident is eligible for legal help, you could refer her/him to a solicitor or not-for-profit organisation with a Legal Services Commission contract to do employment work, for free representation. Unfortunately, this will not guarantee representation at the hearing itself.



“ Working closely with our local bureau is an enormous benefit to our Housing Options Team at the borough council. By working together we have prevented many situations escalating into more serious problems – we work hard to prevent people being made homeless and by partnership working we make a real difference. We value our work with the bureau enormously. ”

Councillor Carol Hart,  
Council Deputy Leader, Erewash Borough Council



# Useful links and helplines

## **ACAS**

[www.acas.org.uk](http://www.acas.org.uk)

Free, confidential, impartial advice on all employment rights issues.

Helpline: ☎0845 747 4747

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## **The Benefit Enquiry Line**

The Department for Work and Pensions (DWP) runs a telephone helpline giving information on benefits for sick and disabled people, their representatives and carers.

Helpline: ☎0800 88 22 00

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## **Business Debtline**

[www.bdl.org.uk](http://www.bdl.org.uk)

Debt advice for small businesses.

Helpline: ☎0800 197 6026

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## **Citizens Advice Bureau**

[www.citizensadvice.org.uk/getadvice](http://www.citizensadvice.org.uk/getadvice)

Find your local Citizens Advice Bureau.

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## **Community Legal Advice**

[www.direct.gov.uk](http://www.direct.gov.uk)

Information on debt, money and tax, adviser search.

Helpline: ☎0845 345 4345

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## **Consumer Council for Water**

[www.ccwater.org.uk](http://www.ccwater.org.uk)

Consumer watchdog agency for the water industry.

Helpline: ☎0845 345 4345

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### **Consumer Credit Counselling Service**

[www.cccs.co.uk](http://www.cccs.co.uk)

Online debt counselling, budgeting advice.

Helpline: ☎0800 138 1111

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### **Consumer Direct**

[www.direct.gov.uk](http://www.direct.gov.uk)

Information on reducing your fuel bills.

Helpline: ☎0845 404 0506

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### **Direct Selling Association**

[www.dsa.org.uk](http://www.dsa.org.uk)

Help with direct sales agreements made in the home.

Helpline: ☎01604 625700

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### **Directgov**

[www.direct.gov.uk](http://www.direct.gov.uk)

Information on managing money and debt.

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### **Education Maintenance Allowance (Wales only)**

[www.studentfinancewales.co.uk](http://www.studentfinancewales.co.uk)

Learner support.

Helpline: ☎0845 602 8845 (Wales)

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### **Energy Saving Trust**

[www.energysavingtrust.org.uk](http://www.energysavingtrust.org.uk)

Free advice and information for people looking to save energy and reduce fuel costs.

Helpline: ☎0800 512 012

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### **Energy Ombudsman**

[www.ombudsman-services.org/energy.html](http://www.ombudsman-services.org/energy.html)

Helpline: ☎0330 440 1624

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### **Equality and Human Rights Commission**

[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

Helpline: ☎0845 604 6610 (England) ☎0845 604 8810 (Wales)

Textphone: 0845 604 6620 (England) 0845 604 8820 (Wales)

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### **Financial Ombudsman Service**

[www.financial-ombudsman.org.uk](http://www.financial-ombudsman.org.uk)

The independent service for settling disputes with financial firms.

Consumer helpline: ☎0800 023 4567

### **Financial Services Compensation Scheme**

[www.fscs.org.uk](http://www.fscs.org.uk)

Final safety net for consumers who have claims against authorised financial firms.

Helpline: ☎0800 678 1100

### **Health costs advice line**

Helpline: ☎0845 850 1166

### **HM Revenue & Customs**

[www.hmrc.gov.uk](http://www.hmrc.gov.uk)

Income tax, national insurance, tax credits.

Tax credits helpline: ☎0845 300 3900

### **Home Heat Helpline**

[www.homeheathelpline.org.uk](http://www.homeheathelpline.org.uk)

Advice on energy efficiency and fuel debts.

Helpline: ☎0800 33 66 99

### **Housing Ombudsman**

[www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk)

Helpline: ☎0300 111 3000

### **Immigration Advisory Service**

[www.iasuk.org](http://www.iasuk.org)

### **Immigration Lawyers Practitioners Association**

[www.ilpa.org.uk](http://www.ilpa.org.uk)

### **Jobcentre Plus**

[www.direct.gov.uk](http://www.direct.gov.uk)

Benefits for people of working age.

Benefits claim line: ☎0800 055 6688

## **Law Centres**

[www.lawcentres.org.uk](http://www.lawcentres.org.uk)

To find your local Law Centre.

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## **Local Government Ombudsman**

[www.lgo.org.uk](http://www.lgo.org.uk)

Helpline: ☎0300 061 0614

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## **Money Advice Service**

[www.moneyadvice.service.org.uk](http://www.moneyadvice.service.org.uk)

Interactive tools for budgeting and borrowing, information and leaflets.

Helpline: ☎0300 500 5000

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## **National Debtline**

[www.nationaldebtline.co.uk](http://www.nationaldebtline.co.uk)

Debt information pack, sample letters, factsheets.

Free independent debt advice line: ☎0808 808 4000

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## **Ofgem**

[www.ofgem.gov.uk](http://www.ofgem.gov.uk)

Energy regulator.

Helpline: ☎0845 404 0506

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## **Ofwat**

[www.ofwat.gov.uk](http://www.ofwat.gov.uk)

Water and sewerage regulator in England and Wales.

Helpline: ☎0121 644 7500

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## **Parliamentary and Health Service Ombudsman**

[www.ombudsman.org.uk](http://www.ombudsman.org.uk)

Helpline: ☎0345 015 4033

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## **Public Services Ombudsman for Wales**

[www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)

Helpline: ☎01656 641 150

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## Payplan

[www.payplan.com](http://www.payplan.com)

Debt calculator, debt solutions, budgeting.

☎ 0800 280 2816

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## Refugee Council

[www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk)

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## Shelter

[www.shelter.org.uk](http://www.shelter.org.uk) or [www.sheltercymru.org.uk](http://www.sheltercymru.org.uk)

Housing advice including mortgage and rent arrears, repossession, eviction, court action.

Helpline: ☎ 0808 800 4444 (England), ☎ 0845 075 5005 (Wales)

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## TaxAid

[www.taxaid.org.uk](http://www.taxaid.org.uk)

Help with tax problems.

Helpline: ☎ 0845 120 3779

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## Turn2us

[www.turn2us.org.uk](http://www.turn2us.org.uk)

Benefits calculator and details of grant giving charities.

Helpline: ☎ 0808 802 2000

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“ When a resident comes to me with a problem I need to ensure they get the best help possible as fast as possible. That’s why if they need legal advice or practical information I refer them to the CAB because I know if the CAB can’t help them, they will know someone who can. ”

**Councillor Pat Wright,  
Warrington Borough Council**







## Citizens Advice

Myddelton House  
115–123 Pentonville Road  
London N1 9LZ

Telephone: 020 7833 2181

Fax: 020 7833 4371

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

[www.adviceguide.org.uk](http://www.adviceguide.org.uk)

Citizens Advice is an operating name of The National Association of Citizens Advice Bureaux. Registered charity number 279057

## Local Government Group

Local Government House  
Smith Square  
London SW1P 3HZ

Telephone: 020 7664 3000

Fax: 020 7664 3030

[info@local.gov.uk](mailto:info@local.gov.uk)

[www.local.gov.uk](http://www.local.gov.uk)

The Local Government Group is here to support, promote and improve local government.