



As part of the service we offer to people experiencing financial difficulties we provide help in preparing budgets, maximising income, negotiation with both priority and non-priority creditors. We also help with court matters including attending court if necessary.

**Our service is free, confidential, professional and independent. We always work with you and for you. However we expect your full co-operation and participation in matters relating to your debts.**

**WHAT YOU CAN EXPECT FROM US:** We need your authority to act on your behalf. Providing you give us all of the necessary paperwork we will always deal with matters for you and take the appropriate action.

We try to set up suitable realistic re-payments with your creditors. This will include asking them to freeze the interest accruing on your accounts. Although we ask for interest to be frozen some creditors may not agree to this and therefore the interest may continue to be added each month.

We need to advise you that reducing payments to your creditors may have an effect on you obtaining credit in the future.

We will ask for your approval of the financial statement that we prepare before sending it out to your creditors with proposed offers of payment.

We will keep you informed about all negotiations with your creditors and will send you copies of all correspondence.

**WHAT WE EXPECT FROM YOU:** We expect you to keep up with the payment arrangements that we arrange with your creditors and to advise us should your situation change.

We expect you not to take out any further credit.

**We reserve the right to inform your creditors that we are no longer acting on your behalf should you fail to keep up with the payment arrangements we make for you or should you fail to take any notice of the letters that we send you. We also reserve the right to withdraw our assistance if you enter into any further credit agreements without prior discussion with us.**

\*\*\*\*\*

**PLEASE RETURN THIS SECTION WITH YOUR DEBT PACK**

We offer the following appointments:

- Face to Face Lowestoft, Citizens Advice, St Margarets House, Gordon Road, NR32 1JQ
- Face to Face Beccles Citizens Advice, 12 New Market, NR34 9HB
- Telephone
- Email

**PLEASE TICK WHICH APPOINTMENT YOU WOULD PREFER.  
WE WILL TRY TO ACCOMMODATE YOUR CHOICE.  
IT MAY NOT BE POSSIBLE IN ALL CASES.**

# CLIENT PROFILE (DEBT)

## ABOUT YOU (PLEASE USE BLOCK CAPITALS)

Title: \_\_\_\_\_ Forename: \_\_\_\_\_ Surname: \_\_\_\_\_

Address: \_\_\_\_\_ Postcode: \_\_\_\_\_

Tel (Home): \_\_\_\_\_ Tel (Mobile): \_\_\_\_\_

Email Address \_\_\_\_\_ Town of Birth \_\_\_\_\_

Date of Birth (dd/mm/yy): \_\_\_\_\_ National Insurance Number: \_\_\_\_\_

Status: Single  Married  Co-habiting  Separated  Divorced  Widowed  Civil Partners

## ABOUT YOUR HOUSEHOLD (ALL OCCUPANTS)

Spouse/Partner's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Spouse/Partner's National Insurance Number: \_\_\_\_\_

Names and Dates of Birth of any other people who live with you.  
Please state whether they are dependent (ie you receive Child Benefit for them).

| Name | Relationship | Date of Birth | Dependent? Y/N |
|------|--------------|---------------|----------------|
|      |              |               |                |
|      |              |               |                |
|      |              |               |                |
|      |              |               |                |

SAVINGS/INVESTMENTS (Please state amount): \_\_\_\_\_

YOUR BENEFITS (tick all that apply to you and your partner): Please provide Benefit award letters or bank statement as proof

Income Support  Job Seekers Allowance  Employment Support Allowance  Universal Credit

Working Tax Credit  Child Tax Credit  Child Benefit  State Pension  Pension Credit

Housing Benefit  Council Tax Benefit  PIP/DLA Mobility  PIP/DLA Care

## YOUR HOUSING

Owner occupier\*  Local Authority (Council)  Private rented

Housing Association  Live with family/friends

\*Approx. value of all properties, if more than one owned, please state how many: \_\_\_\_\_

Outstanding mortgages, all properties: \_\_\_\_\_

YOUR EMPLOYMENT: Please provide wage slips or bank statement as proof

YOU: Full-time  Part-time(hours)   Unemployed

YOUR PARTNER: Full-time  Part-time (hours)   Unemployed





# INCOME & EXPENSES SHEET

\*Net=after tax/insurance \*Gross=before tax/insurance

(Please enter all amounts either weekly or monthly not a combination of both)

NAME \_\_\_\_\_

| INCOME                              | Client-Weekly/Monthly | Partner-Weekly/Monthly |
|-------------------------------------|-----------------------|------------------------|
| Wages - Please specify Nett*/Gross* |                       |                        |
| Universal Credit                    |                       |                        |
| JSA/Income Support                  |                       |                        |
| ESA/Incapacity Benefit              |                       |                        |
| Child Tax Credit                    |                       |                        |
| Working Tax Credit                  |                       |                        |
| Disability Living Allowance / PIP   |                       |                        |
| Retirement Pension                  |                       |                        |
| Occupational Pension                |                       |                        |
| Pension Credit                      |                       |                        |
| Child Benefit                       |                       |                        |
| Maintenance/CSA Payment             |                       |                        |
| Any Other Income/Benefits (specify) |                       |                        |
| <b>Income Total</b>                 |                       |                        |

### Joint Income Total

| EXPENSES  | Weekly/Monthly | Total Arrears (If Any) |
|---|----------------|------------------------|
| Rent (after Housing Benefit)                      |                |                        |
| Mortgage  |                |                        |
| Endowment Policy                                  |                |                        |
| Second Mortgage/Secured Loan                      |                |                        |
| Buildings/Contents Insurance                      |                |                        |
| Life Insurance/Pension                            |                |                        |
| Council Tax (after Council tax benefit)           |                |                        |
| Anglian Water                                     |                |                        |
| Essex & Suffolk                                   |                |                        |
| Gas   |                |                        |
| Electricity                                       |                |                        |
| Oil/Coal  |                |                        |
| Housekeeping/Food                                 |                |                        |
| Telephone/Mobile/Broadband                        |                |                        |
| TV Licence  |                |                        |
| Travel (inc. Road tax, insurance etc.)            |                |                        |
| Other Travelling Expenses (i.e. Public Transport) |                |                        |
| School Meals                                      |                |                        |
| Clothing  |                |                        |
| Rental (household goods)                          |                |                        |
| Prescriptions                                     |                |                        |
| Child Minding                                     |                |                        |
| Child Maintenance                                 |                |                        |
| Court Fines                                       |                |                        |
| Other 1   |                |                        |
| Other 2   |                |                        |
| <b>Total Expenses</b>                             |                |                        |
| <b>Final Total : Income less Expenses</b>         |                |                        |

Please Note:- To convert weekly amounts into monthly multiply by 52 & then divide by 12



# Client Permission and Consent Form

When we record and use your personal information we:

- only access it when we have a good reason
- only share what is necessary and relevant
- don't sell it to commercial organisations

We need to record information about you to help with your enquiry. We have a legitimate interest to do this. Please let us know if you'd like more information about how we'll use your data.

|                       |  |               |  |
|-----------------------|--|---------------|--|
| <b>Client Name</b>    |  |               |  |
| <b>Client Address</b> |  |               |  |
| <b>Date of birth</b>  |  | <b>Gender</b> |  |

I prefer to be contacted by (please tick all those that apply)

- Home address (as above)
- Email \_\_\_\_\_
- Mobile \_\_\_\_\_
- Home telephone \_\_\_\_\_
- Work telephone \_\_\_\_\_

Please **do not** use the following contact (e.g Address) \_\_\_\_\_

For administration purposes

Client reference number: \_\_\_\_\_

Case reference number: \_\_\_\_\_



### We need to share your data with our funders

We need your explicit consent to use some information, including your ethnicity and health conditions in our reporting to our funders, the Money Advice Service. This data will be used to monitor the performance of the service we provide you and ensure the project is serving your community.

By ticking the boxes below you consent to Citizens Advice sending your special category personal data to the Money Advice Service for the purpose of monitoring performance and funding.

Yes, I consent to you sending information on my (please tick all of those you agree to)

Ethnicity  Health Condition  Religion

Sexual orientation  Trade Union membership

### Can we contact you for feedback?

We, and our funder the Money Advice Service, want to make sure our service meets your needs. To help us understand how we're doing and to improve our service, you may be contacted at a later date to ask for your feedback. Sometimes Citizens Advice, our research partner PWC Research, the Money Advice Service, or the Money Advice Service's research partner help us do that.

Yes, I consent to you sending information on my (please tick all of those you agree to)

Ethnicity  Health Condition  Religion

Sexual orientation  Trade Union membership

We'll decide who we contact for feedback based on the services you used and the advice area. We may also use your special category data so that we hear from different groups.

Please tick the box below if you agree to us getting in touch.

I agree to Citizens Advice (or their research partner) selecting me for feedback using my information and contacting me

I agree to the Money Advice Service (or their research partner) selecting me for feedback using my information and contacting me

### Your signature

Name:

Signature:

Date:

### We need your consent to record and use your special category personal data

We need your explicit consent to use some information, including your ethnicity, religion, health conditions, sexual orientation and trade union membership.

If you agree, we'll use this information, which is known as 'special category personal data' to:

- give you advice
  - help us gather data to improve our service
  - support our research in a way that you can't be identified
- We'll make sure all your information is kept safe in our secure case management system.

By ticking the boxes below you consent to Citizens Advice recording the special category personal data you choose to provide Citizens Advice.

Yes, I consent to you holding information on my (please tick all of those you agree to)

Ethnicity  Health Condition  Religion

Sexual orientation  Trade Union membership

### We need your consent to use your special category personal data to monitor the quality of the advice we give

We need your explicit consent to use some information, including your ethnicity, religion, health conditions, sexual orientation, trade union membership and political opinion. This data will form part of the information contained within your whole case file that may be selected to be sent by secure courier to Recognising Excellence or the Money Advice Service's quality partner to monitor the quality of advice we give.

If you agree, we'll use this information, which is known as 'special category personal data' to help us gather data to monitor the quality of our service.

We'll make sure all your information is kept safe in our secure case management system and by Recognising Excellence or the Money Advice Service's quality partner.

By ticking the boxes below you consent to Citizens Advice sending your special category personal data to Recognising Excellence or the Money Advice Service's quality partner.

Yes, I consent to you sending information on my (please tick all of those you agree to)

Ethnicity  Health Condition  Religion

Sexual orientation  Trade Union membership



**North East  
Suffolk**

Citizens Advice North East Suffolk  
St Margaret's House  
Gordon Road  
Lowestoft NR32 1JQ  
bureau@nescab.cabnet.org.uk  
www.nesuffolkcab.org.uk

**CLIENT AUTHORITY TO ACT ON THEIR BEHALF**

At Citizens Advice we must ask for your authority to act on your behalf when taking action for you. For more information, please talk to a member of staff.

**Name (Client's) :** \_\_\_\_\_

**Address :** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ **Post Code** \_\_\_\_\_

*I authorise Citizens Advice North East Suffolk to act on my/our behalf*

**Concerning the issue of :**

\_\_\_\_\_

**Name(s)** \_\_\_\_\_

**Signature(s)** \_\_\_\_\_

**Date** \_\_\_\_\_

**Complaints Handling Procedure**

Citizens Advice North East Suffolk has a complaints handling procedure. Full details of our complaints procedure are available on request.

*Delivering quality assured advice and campaigning for social justice*

**CHIEF EXECUTIVE Janet John**

Citizens Advice North East Suffolk is the operating name of North East Suffolk Citizens Advice Bureau  
Charity registration number: 1115522  
Company limited by guarantee. Registered number: 5866861 England and Wales  
Registered office: St Margaret's House, Gordon Road, Lowestoft, NR32 1JQ  
Authorised and regulated by the Financial Conduct Authority: FRN 617682



## What can a creditor do if I can't pay?

A creditor is someone you owe money to. There are different types of creditors; some are more important than others depending on the action they can take to recover money from you. Usually debts are either a priority or a non priority debt.

### What are priority debts?

Most creditors will need to take court action to recover any money that is owed. A priority creditor can take action that means you could lose your essential supplies (such as gas or electricity) or essential services and goods, lose your home or be sent to prison.

| Type of priority debts   | The action a creditor can take  |
|--|---|
| Mortgage or secured loan arrears   | Court action and repossession of your home  |
| Rent arrears   | Court action and repossession of your home  |
| Council tax arrears  | Take money directly from your benefits or wages, instruct bailiffs or, as a last resort, imprisonment               |
| Gas and electricity arrears (current suppliers)  | Prepayment meter or as a last resort, disconnection of supply   |
| Child support or maintenance arrears   | Deduction from benefits, wages or bank account, court action or, as a last resort, imprisonment                     |
| Income tax arrears   | Seizure of goods without a court order or, as a last resort, imprisonment   |
| National Insurance contribution arrears  | Fine, or imprisonment if unpaid   |
| Telephone, mobile phone or telecom package arrears (essential services)  | Disconnection of service and court action to recover balance  |
| Hire purchase, Personal Contract Purchase (PCP) or conditional sale (essential goods)  | Court action and repossession of essential goods  |
| Fines arrears<br>In England and Wales, these include parking fines issued by the magistrates' court but not parking penalties issued by local authorities, which are non-priority debts. | Deduction from benefits or wages, instruct bailiffs, clamping order, court action or as a last resort, imprisonment |
| TV licence - if you don't have one or it is in arrears   | Fine, or imprisonment if unpaid   |

### What are non priority debts?



Non-priority debts are generally less serious. The creditor can sue you for money and get a County Court Judgment (CCJ) or repossess a non-essential item in the county court. Your credit rating may be affected if you miss payments.

If you have missed payments for a CCJ creditors may take enforcement action that could include; securing the debt on property you own, taking money from your wages, taking money from a bank account or asking bailiffs to take and sell assets to repay the money due. They could try to make you bankrupt if you owe them more than £5,000 which could have a serious effect on you, for example, if you own your home.

| Type of non priority debt  | The action a creditor can take   |
|--|--|
| Consumer credit debts and unsecured personal debts including:- <ul style="list-style-type: none"> <li>• credit cards/store cards</li> <li>• overdrafts/unsecured loans</li> <li>• catalogues/mail order</li> <li>• personal debts</li> </ul> | Court action for debts   |
| Benefit overpayments   | Deduction from ongoing benefit or wages, court action for debt if you are not working nor receiving benefits         |
| Tax credit overpayments  | Deduction from ongoing benefit, court action for debt or taking money from a bank account if savings are over £5,000 |
| Hire purchase or conditional sale (non essential goods)  | Court action to recover money and/or repossession of goods   |
| Parking penalties (this doesn't include parking fines issued by the Magistrates court - these are priority debts)  | Instruct bailiffs who may seize goods  |
| Water rates arrears  | County or high court action for debts  |

Some non priority debts could be considered as priorities depending on your circumstances or the creditor's action. If you receive any forms or letters from a magistrates, county court or high court, please contact your adviser immediately as there could be a time limit involved.

This information covers England and Wales and is up to date at January 2018. Version 1.1.  
 For further information go to: <https://www.citizensadvice.org.uk/debt-and-money/>

## **OPTIONS FOR DEALING WITH DEBT.**

Please find below brief notes on informal and formal options for dealing with debts:

### **INFORMAL OPTIONS**

#### **Negotiated Arrangement with Creditors**

Usually an offer of payment is based on a pro-rata distribution of your available income. Your available income is the money leftover after you have worked out what you have to pay to any priority creditors and your essential household outgoings. This means your non priority creditors are offered a fair share of what you can afford to pay.

#### **Debt Management Plan**

Usually you need to have at least £5 per month to pay each of your non-priority creditors. This option can be done through a debt-management company. You would pay one figure per month which they would distribute. Many debt management companies charge for their services.

#### **Moratorium – No Payments**

An agreement ( normally for a short period of time) with your creditors where no payment is made towards the debt.

#### **Token Offers**

£1 token offers can be made but creditors are only likely to accept this short-term.

#### **Full and Final Offers**

If you have a lump sum available that will pay off part of your debts, you can ask your creditors to accept a part payment and write off the rest.

#### **Write off the Debt**

It may be possible to ask your creditors to write off the debts if you have no available income to make any payments and have no savings or assets. You would need to convince the creditors that your circumstances are unlikely to improve in the future.

#### **Consolidation Loan**

Apply to a lender for a loan to clear debts. The lender may want to secure the new loan on your house if you own a property.

## **Charitable Payments towards Debts**

Apply for help from a suitable charity or trust fund. Trust fund information can be found online.

## **FORMAL OPTIONS**

### **Administration Order**

An administration order is a single county court order that covers credit debts and certain other debts, which are all treated together. It allows you to make one single payment every month to the court. The court staff will then divide the money amongst your creditors on a pro-rata basis. An administration order stops creditors from taking further action against you.

### **Who Can Apply?**

You can get an Administration Order if:

- You have at least two debts
- You have at least one county court or High Court judgment against you: and
- The total of your debts is less than £5,000.

### **How do I apply?**

Applications are made on an N92 form which you can get from your local county court office.

### **How long does an Administration Order last?**

Until all debts are paid off in full unless you apply for a Composition Order at the same time as you apply for the Administration Order. A composition order limits the period for which you have to make payments, usually to three years.

**If you are eligible for this option our debt team will go over all implications/advantages in depth at your appointment.**

### **Debt Relief Order (DRO)**

You can apply for a DRO through an 'approved intermediary' – NES CAB have two intermediaries. The first stage would be to get advice to see if you qualify and if a DRO is right for you.

Applications are made on line and sent to the Official Receiver's Office. There is no court hearing.

### *To Qualify*

There are strict rules that you have to meet to qualify for a DRO. You must:

- Be unable to pay your debts
- Have total debts of £20,000 or less at the date the application is approved by the Official Receiver
- Have assets worth a total of £1,000 or less
- Not have a car or motor bike worth £1,000 or more
- Have £50 a month or less spare income after normal household expenses are taken into account and this must be for the period of the order i.e. 12 months
- Live in England or Wales and
- Not have had a DRO in the past six years

All debts have to be included in a DRO although some are treated as excluded debts.

**If you are eligible for this option our debt team will go over all implications/advantages in depth at your appointment.**

### **IVA – Individual Voluntary Arrangement**

An IVA is a formal and legally binding agreement between you and your creditors to pay back your debts over a period of time. An IVA must be set up by an insolvency practitioner. Repayments stop at an agreed date and you will usually pay less than the full amount you owe.

You will not automatically lose your home or other assets.

An IVA can be flexible to suit your needs but it can be expensive and there are risks to consider.

An IVA may be suitable for you if:

You have at least £100 spare income each month.

You have at least two separate debts.

You have debts totaling £10,000 or more

You don't want to deal with the creditors directly.

**Even if you do not match all of the above an IVA can be flexible and you may still be eligible.**

Most debts can be included in an IVA however there are some exceptions (your caseworker will talk to you about these if it's relevant to your situation).

If you have debts which cannot be included you will have to deal with these separately so you will need to make sure you have enough money to pay these debts before paying into an IVA.

If some of your debts are jointly owned with another person it may not always be appropriate to include them in an IVA. This is because the other person will still be responsible for any debt left at the end of the IVA.

**In some cases an IVA may not be right for you:**

- If you work as an accountant or solicitor you should read the terms and conditions of your work contract.
- If you do not keep to the terms of the IVA then the insolvency practitioner or the creditors can take further action such as making you bankrupt.
- If your circumstances are likely to change.
  
- An IVA usually involves paying a set amount to your creditors each month and it will last a number of years (normally five).
- If you do not have any spare income or cannot raise a lump sum to pay your creditors.

You also need to look at the cost of the IVA and whether this may have an effect on your home or possessions, savings or pensions.

An IVA will affect your credit rating.

**If this option is in your best interest your caseworker will discuss the next steps and also talk to you about how to find an insolvency practitioner to help you with the IVA.**

## **Bankruptcy**

Bankruptcy is a way of dealing with debts that you cannot pay.

You can apply to make yourself bankrupt the application will be looked at by an adjudicator and they will decide if you should be made bankrupt.

Someone else that you owe money to can also apply to make you bankrupt but you must owe them at least £5000.

You can only apply for bankruptcy online and it costs £680, visit [www.gov.uk/bankruptcy](http://www.gov.uk/bankruptcy).

If the order is made you will have an appointment to discuss matters with an official receiver (sometimes this will be carried out over the phone). You will be asked to go through a questionnaire to consider your personal and financial details.

After 12 months you are normally released (discharged) from your bankruptcy.

**Advantages:**

The pressure is taken off you because you don't have to deal with your creditors directly. Liability for most debts will be written off once you are discharged, however there are some exceptions even after discharge.

You are allowed to keep certain things like household goods and a reasonable amount to live on.

Creditors will stop any further action following a bankruptcy order, and any money that is owed will be written off from the date of bankruptcy.

Disadvantages:

- The fee is £680.
- If your income is high enough you will be asked to make payments into the bankruptcy for three years.
- It will be difficult to take out any further credit whilst bankrupt and your credit file will be reflected accordingly.
- If you own your home it may have to be sold.
- If you own any luxury items they may have to be sold.
- Some pensions will be effected – if you have a pension discuss this with your adviser or look online to make sure you have an approved pension.
- Some professions will not allow employees to continue in their jobs if currently declared bankrupt or have been bankrupt in the past.
- Any business that you own may be affected.
- Immigration status may be affected.
- Bankruptcy is published publicly.

***Please be aware that full implications and further advice will be discussed with you by your case worker should this be the option that is with in your best interest .***