

# 1: Your energy supplier has to talk to you.

Being in debt is scary but the first step is to negotiate with your energy supplier about how much you can pay. Be realistic, but remember that it's better to negotiate and pay a little than to do nothing. Please also see Section 3: 'Avoiding unwanted prepayment meters'. More information on the suggestions below and in Section 3 can be found in the Child Poverty Action Group's 'Fuel rights handbook'.

- **If you can pay for what you're using and can pay something, even a little, towards your arrears you should not be disconnected.**
- **No one has a right to force their way into your home without a warrant (see below, Section 5).**
- **If someone in your household is of pensionable age, disabled or chronically sick**, your supplier is generally not allowed to disconnect you in the winter (October-March). The Big Six and some other energy companies are also signed up to the Energy UK Safety Net, pledging to "never knowingly disconnect a **vulnerable** customer **at any time of year**" (see box on p.5.) There is specific protection for **households with children** especially if a child is five or younger.
- **A prepayment meter (see below) should always be offered as an alternative to disconnection.**

Each supplier has a procedure for dealing with customers in arrears. If they don't follow it, they can be referred to Ofgem (the energy regulator). **Usually disconnections only happen if you don't make contact with the supplier, so it's best to call them and let them know what you can afford to pay.** If you do, they have to consider your situation and look for an affordable plan.

- **Check whether you are legally liable for the bill.** Some or all of it may be the responsibility of someone else – e.g. it might be in the name of a partner who has left, a flat-sharer, your landlord, or someone who has died. Liability is a bit different for electricity and gas. Get expert advice or see Child Poverty Action Group's 'Fuel Rights Handbook'.

**You can negotiate with your energy supplier to set the rate you'll pay off your arrears.**

- You should tell your supplier as soon as possible if your household has someone who is **"vulnerable"**. They should bear this in mind when setting your repayment rate.

Energy UK (the body which represents the Big Six energy companies) has stated that it is the industry's intention to protect all those who are vulnerable and at risk from disconnection. **They define "vulnerability" in the following way:**

"...a customer is vulnerable if for reasons of **age, health, disability or severe financial insecurity** they are unable to safeguard their personal welfare or the personal welfare of other members of the household".

So as well as personal situations which may make heating or electric power particularly important for you, your supplier should take account of poverty: "severe financial insecurity", which **can include being on benefits.**

- You could suggest around £3.70 per week, per meter, as this is the Fuel Direct pay back rate. But if you cannot afford that, ask for less!
- Make sure that your supplier doesn't overestimate your ongoing consumption when they calculate how much you need to pay. Underestimates can also be a problem. Some people run up massive debts, which can become impossible to repay (see Section 3). If you don't want to risk this, **read your meters regularly and inform your supplier.**

**Need help to read your meter? Not sure how to do it?**

See [www.goo.gl/gGfkSj](http://www.goo.gl/gGfkSj). You also have a right to have the meter located where you can easily access it.

- **You have a right to a choice of ways of paying your debt off, e.g. in weekly instalments or monthly instalments. You do not have to get a prepayment meter** (although it may be hard to avoid if you have already had a payment agreement and you haven't been able to manage it.)
- **Staff are obliged to treat you sympathetically and help you to find the most suitable repayment method.** They should listen to what you have to say about your situation, including reasons why a previous arrangement may have broken down. (If not, you can complain – and tell Fuel Poverty Action.) **Remember their priority is making sure you pay for your current usage,** not getting the arrears paid off quickly.



**Keep track of all correspondence between you and your supplier.**

If you are negotiating with your supplier, **always do it in writing and keep a copy. Save and file all emails.** If you make a phone call write down the name of the person you have spoken to, a direct line number for them, what you told them, what they have said, and the time and date of the conversation. If they agree to something, confirm it with them in writing. If they don't reply, record that too.

- Gas and electricity suppliers have to operate within certain legally enforceable conditions, the **Standard Licence Conditions (SLCs)**. SLC 27 says, among other things, that they must take all reasonable steps to ascertain what you are able to pay and must take this into account when calculating how fast you have to pay off your arrears. They must also offer you options on how you will pay – by instalments, through a prepayment meter, or through deductions from benefits. You may want to remind them of this.



- If you aren't getting anywhere with the call centre advisers **try the customer services department or the legal department of the company, or make a formal complaint to the company's complaints department instead** (you can detail how you have been trying hard to sort your situation and how you have been let down, tell them any other problems you have had, and say you want someone to contact you as soon as possible to help you resolve the situation). Make sure you are clear about your situation, outline any attempts to negotiate, and **give a date** that you want a response by (e.g. 14 days time). If this fails and the complaints procedure has been exhausted, try the **Energy Ombudsman** (see Section 12).
- You may find it worth **getting help from a group or even a friend, especially if English is not your first language, or if you are not confident in dealing with pushy companies on your own.** Unfairly, you are likely to be treated more respectfully that way. Some agencies that can help are listed in Section 12.
- The government has given **Citizens Advice** the job of helping people with fuel debts. (For contact information see Section 12). If you are "vulnerable" or at risk of disconnection, they can refer you to their Extra Help Unit. And if you explain the emergency, Citizens Advice may be able to help **prevent you being disconnected**. Fuel arrears are **priority debts**, like rent – they take precedence over many other debts like water rates, credit card debts, and catalogues. For negotiating with your supplier, see Citizens Advice on this page: <https://goo.gl/jgKyML> and click "What to say when you contact a priority debt creditor". You may also want to look at sample letters to non-priority creditors, asking them to wait, or to write off debts, here: <https://goo.gl/VYyVcz>.
- **You can also consider contacting your local MP who may well be willing to help.** You can find out who your MP is and how to contact them at [www.theyworkforyou.com](http://www.theyworkforyou.com).

**Remember that you are not to blame for arrears, and you are certainly not alone.** The Financial Conduct Authority has found that half of the UK's population is financially vulnerable, and over four million are already in serious difficulty, falling behind with bills and credit card payments. House of Commons statistics say **nearly 1/3 of children are living in poverty.**