



## IMA Virtual Conference 2022 - Session Descriptions

### Monday 5 September – Thursday 8 September 2022

Details of workshop sessions at IMA Conference 2022 are below, arranged alphabetically by workshop title.

#### **1. Arrears and possession proceedings for shared ownership property - Alexa Walker**

An introduction to the principles of shared ownership including the security of tenure of the occupier.

The workshop will cover options to deal with mortgage and rent arrears and the options for a shared ownership occupier facing possession proceedings by a landlord or mortgage lender.

By the end of the workshop, advisers will understand:

- security of tenure of a shared ownership occupier
- what a shared owner actually owns (equitable interest)
- leasehold and liability for service charges
- the mortgage lender's right to possession

- the landlord's grounds for possession for rent arrears
- implications for an occupier arising from *Richardson v Midland Heart*

The workshop will focus on advising clients in arrears. It will not cover eligibility for shared ownership, variation of leases, or rights to increase the owner's share.

## 2. Benefits Update – Tom Barrett

This session examines changes that have occurred so far during 2022, in the world of welfare benefits. We will look at, and ongoing legal challenges, Legislative changes, and changes to policy.

This session will help you:

- Understand changes to legislation, caselaw and policy.
- Understand the possible relevance of those changes to you clients.
- Understand how these changes can be used to help you better advise your clients.



## DRO Workshop

HMRC will not be able to issue a penalty against Trish for not completing her tax return once she has included the tax arrears in the DRO because this would be a remedy in respect of the debt (s251A).

### 3. Bipolar & Debt Advice – Bipolar UK and Payplan

It's no surprise to anyone working in debt advice the proven evidence of the links between Debt and mental health and the impact that this can have on financial and emotional resilience. But what can be done to make a difference and break this never-ending cycle. PayPlan and Bipolar UK launched a partnership at the start of 2022 to try and do exactly that. In this workshop we will explore:

- What is Bipolar and the prevalence
- Looking at the mood scale and understanding indicators of possible behaviours
- Understanding the link between spending and a manic state
- The delay in diagnosis and the financial impact
- Ensuring debt advice is accessible to this niche group
- Sharing a case study and gaining your thoughts and ideas on what adjustments could be made
- Sharing safe pathways and best practice into debt advice
- Recording client data
- Practical support for people in debt and living with Bipolar

Presented by:

**Bipolar UK:** Simon Kitchen, CEO and Camilla Leach, Partnership Development Manager

**Payplan:** Emma Gibbons, Vulnerability Lead and Antony Price, Partnership Manager

### 4. Debt Respite Scheme – Threat of eviction – Shelter SDAS

A look at the Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020 and how they can help clients faced with the threat of eviction. Covering rent and mortgage possession in addition to charging orders and orders for sale.

The workshop will help you identify situations where a Breathing Space Moratorium or Mental Health Crisis Moratorium could delay eviction.

This workshop will help you:

- To become more familiar with how the Debt Respite Scheme might help avoid eviction at different stages of the rent/mortgage possession process.
- To become more aware of how the Debt Respite Scheme can help clients at risk of eviction due to a charging order/order for sale.

- To be able to apply the Debt Respite Scheme regulations and recent case law when looking at how the Debt Respite Scheme can help avoid eviction.
- To be more confident with navigating/ interpreting the Debt Respite Scheme regulations and applying these directly to different scenarios.

## 5. Delivering interactive online training sessions – Anne Wright

Are you responsible for training other staff or volunteers in your organisation? Has your training delivery moved online? Are you new to online training or want to improve your skills? Do you want to increase learner engagement in your online sessions and create more meaningful and enjoyable learning experiences? Then this session is for you!

This interactive workshop will:

- Explore learning domains and online activities suitable for different types of learning
- Explore a range of simple and widely available tools you can use to help you create more engaging online sessions
- Provide practical advice, tips and tricks to help you manage an online training session effectively and with confidence

By the end of this workshop participants will be able to:

- List three tools or techniques that can be used to increase learner interaction in a session
- Create a collaborative learning activity to be used in an online training session
- Describe three ways to share materials with participants during an online session.
- Manage open and close a breakout session



## **6. DRO Update – Mark Newbury and Marina Gallagher**

This interactive workshop will bring you up to date with developments in the world of debt relief orders and tackle some tricky areas.

It will include the court case of Thomas Curr v The Insolvency Service, fraudulent benefit overpayments, deficit budgets, sending money abroad and potential violence from creditors.

At the end of the workshop, advisers should be able to:

- explain the latest developments in the world of debt relief orders
- understand why deficit budgets can be used in debt relief order applications and how this may be beneficial to clients
- advise clients in relation to fraudulent benefit overpayments and debt relief orders

## **7. DVLA penalties – Michael Agboh-Davison, Institute of Money Advisers**

DVLA penalties and fines appear regularly among client's debts, and as the cost of living crisis makes it even harder to afford essential costs, there is a risk these will become more common. This session looks at civil penalties and criminal fines for vehicle tax and insurance offences in England and Wales, including:

- What offences can lead to a penalty?
- What processes do DVLA follow to penalise tax and insurance offences?
- What steps can be taken to avoid penalties?
- How should debt advisers respond to penalties?
- How do DVLA penalties behave in insolvency?

## **8. Empty pockets: talking about budgeting in a cost-of-living crisis – Keely Gabriel, IMA trainer**

In a climate where many of our tried-and-tested budgeting ideas still leave a deficit, this session will consider practical approaches to supporting our clients.

In this session, we will:

- Recognise how the current crisis may impact upon our overall approach to debt advice
- Describe possible barriers to clients dealing with their debts in the current circumstances

- Highlight commonly missed ways of maximising benefit income
- Discuss practical ways clients may be able to reduce their expenditure

## **9. The FCA Consumer Duty – Anne Wright**

As part of its focus on improving consumer protection and following a lengthy consultation process, the Financial Conduct Authority confirmed in December 2021 its intention to introduce a new Consumer Duty in 2022. This workshop will explore the aim of this new legal duty and its implications for regulated firms and debt advisers. By the end of the workshop delegates will be able to:

- Describe the new Consumer Duty
- Explain which regulated firms will be subject to the new duty
- Explain how the new Consumer Duty interacts with existing FCA principles for business and guidance
- List the consumer outcomes the FCA expect firms to deliver under the Consumer Duty
- Explain the steps firms will need to take to achieve these Consumer Outcomes throughout the lifecycle of a service - from service design to client outcome.

## **10. Mental Health Crisis Breathing Space: What is it? Why is it needed? What does the future hold? - Rethink Mental Illness**

People with mental health problems are four times as likely to be behind on priority bills than people who do not, leaving them at risk of facing debt enforcement action. After years of campaigning, the Mental Health Crisis Breathing Space mechanism was launched on 4<sup>th</sup> May 2021, giving some of the most vulnerable in society respite from their debts whilst recovering from their mental health crisis.

This workshop aims to give delegates:

- An overview of the Mental Health Crisis Breathing Space mechanism
- An introduction to the main stakeholders of the scheme
- A good understanding of the importance of the mechanism, and the links between poor mental health and finances
- A quick overview of the significant court cases that have had an impact on the scheme
- An idea of the challenges of working with legislation that is very much in its infancy

## **11. Overdrafts and Affordability Complaints – Sara Williams, Debt Camel**

Overdrafts are meant for temporary borrowing, but millions of people use them for most or all of a month and pay high charges for this. This workshop will look at:

- the reasons to make an overdraft affordability complaint
- supporting facts that can help a client win their complaint
- typical redress if a complaint is upheld
- when to make these complaints
- when not to make a complaint, usually because your client has a better option
- the process of making a complaint about an overdraft.

## **12. Top ten tips for debt advice in 2022-23 – Alan Murdie**

The covid pandemic, pre-covid levels of personal debt, the combined effects of 14 years of legislative changes and cuts in welfare provision have all resulted in the worst and most challenging time for money advice workers in generations.

Prior to the pandemic there were already inherent and massive financial problems accumulating; covid and the Ukraine war have merely been random triggers which have accelerated a collapse into a cost of living crisis and toppled many impoverished communities into even more perilous financial situations. The money advice sector has become a front line in helping many people struggling with poverty and severe hardship who are unable to access any other forms of assistance – if such help exists at all.

In this workshop Alan Murdie shares his top ten advice tips and tactics for responding the increased volume of cases confronting the advice sector over the next 18 months.

Covered are some key pieces of law and insights which advisers need to know for assisting vulnerable clients whose needs increasingly are becoming matters of day-to-day survival. Included are a number tips on housing, utilities, personal debts, council tax and fines and effectively responding to enforcement and legal action in the courts.

### **Other sessions – alphabetical by title**

#### **1. MaPS and debt advice commissioning**

A lunchtime discussion session with Anna Hall (Head of Money and Debt Operations) and Craig Simmons (Head of Debt and Credit Policy & Strategy). Join us for an update on debt commissioning in national telephone services, business and DROs. Hear about MaPS' plans for regionally-based debt advice commissioning and make sure your views are heard!