

**To: Deputy Leader and Members of the Resources Board
(Councillors Moore, Butcher, Davis, N Dirveiks,
Forwood, Holland, Johnston, Smith and Winter)
For the information of other Members of the Council**

For general enquiries please contact Emma Humphreys/Amanda Tonks on 01827 719221 or via email – emmahumphreys@northwarks.gov.uk or amandatonks@northwarks.gov.uk.

For enquiries about specific reports please contact the Officer named in the reports.

This document can be made available in large print and electronic accessible formats if requested.

RESOURCES BOARD AGENDA

25 March 2013

The Resources Board will meet in the Committee Room at The Council House, South Street, Atherstone, Warwickshire on Monday, 25 March 2013 at 6.30pm.

AGENDA

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests.**

4 **Request for discussion and approval of remaining En Bloc items.**

5 **Public Participation**

Up to twenty minutes will be set aside for members of the public to ask questions or to put their views to elected Members. Participants are restricted to five minutes each. If you wish to speak at the meeting please contact Amanda Tonks/Emma Humphreys on 01827 719221 or email democraticservices@northwarks.gov.uk.

6 **Minutes of the Resources Board held on 28 January 2013** – copy herewith, to be approved as a correct record and signed by the Chairman.

PART A – ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

7 **Land at Waverton Avenue, Warton** – Report of the Assistant Director (Leisure and Community Development)

Summary

This report seeks approval for the transfer of land at Waverton Avenue in Warton from the Housing Revenue Account to the General Fund, in order that the use of the land for allotments can be protected in the future.

The Contact Officer for this report is Alethea Wilson (719212).

8 **Review of Grounds Maintenance Service for Council Sheltered Schemes** – Report of the Assistant Director (Housing)

Summary

The grounds maintenance service delivered to Council sheltered schemes and flats is being reviewed. This report provides the Resources Board with a report which was submitted to the Housing Services Committee for consideration.

The Contact Officer for this report is Angela Coates (719369).

9 **Asbestos Management Plan – Housing Division** – Report of the Assistant Director (Housing)

Summary

This report provides the Resources Board with information about the Council's duties with regard to managing asbestos in its housing stock. It proposes new arrangements to be undertaken the relevant surveys required to manage asbestos in domestic and non domestic premises.

The Contact Officer for this report is Angela Coates (719369).

- 10 **Adoption of a Revised Discretionary Housing Payment Policy** – Report of the Assistant Chief Executive (Community Services)

Summary

The purpose of this report is to request that Members adopt a revised Discretionary Housing Payment Policy (DHP) to reflect the changes in Housing and Council Tax Benefit as well as the wider welfare reforms that take effect on 1 April 2013.

The Contact Officer for this report is Bob Trahern (719378).

- 11 **Adoption of an Updated Prosecution and Sanctions Policy** – Report of the Assistant Chief Executive (Community Services)

Summary

The purpose of this report is to request Members adopt the updated Prosecution and Sanction policy attached at Appendix A. This is necessary because of changes introduced as part of the wider Welfare Reform agenda and to reflect up to date practices.

The Contact Officer for this report is Bob Trahern (719378).

- 12 **Adoption of Council Tax Discretionary Discount Policy** – Report of the Assistant Chief Executive (Community Services)

Summary

The purpose of this report is to request Members adopt the Council Tax Discretionary Discount policy attached at Appendix A. This is necessary because of a recent National Local Ombudsman decision in which its recommendations stated that all Councils should have a stated policy around adopting local Council Tax discounts.

The Contact Officer for this report is Bob Trahern (719378).

- 13 **Corporate Debt Strategy** – Report of the Assistant Chief Executive (Community Services)

Summary

The report updates the previous Corporate Debt Strategy adopted by this Board in July 2007 that outlined how the Council will approach customers who owe multiple debts to the Council.

The Contact Officer for this report is Bob Trahern (719378).

**PART B – ITEMS FOR EN BLOC DECISIONS
(YELLOW PAPERS)**

- 14 **Internal Audit – Performance for Third Quarter 2012 – 2013** - Report of the Deputy Chief Executive

Summary

The report allows the Board to monitor the progress of the Council's Internal Audit function against the agreed plan of work for the year.

The Contact Officer for this report is Barbara Haswell (719416).

- 15 **Financial Inclusion Activity Update** – Report of the Assistant Chief Executive (Community Services)

Summary

The purpose of this report is to provide Members with an update of the Financial Inclusion activity undertaken by the Council and its partners in the last twelve months. The wide ranging activity undertaken is assisting residents of the borough experiencing personal and financial difficulties to meet their commitments during what are particularly challenging times.

The contact Officer for this report is Bob Trahern (719378).

- 16 **Minutes of the Housing Sub-Committee held on 4 February 2013 (copy herewith) to be received and noted.**

**PART C – EXEMPT INFORMATION
(GOLD PAPERS)**

- 17 **Exclusion of the Public and Press**

Recommendation:

That under Section 110A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

- 18 **Irrecoverable Housing and Local Taxation Debts** – Report of the Assistant Chief Executive (Community Services)

The Contact Officer for this report is Mike Shaw (719338).

- 19 **Adoption of an Updated Write Off Policy** – Report of the Assistant Chief Executive (Community Services)

The Contact Officer for this report is Bob Trahern (719378).

- 20 **The Arcade** – Report of the Assistant Director (Streetscape) –
REPORT TO FOLLOW

The Contact Officer for this report is Richard Dobbs (719440).

- 21 **Sale of Land** - Report of the Assistant Director (Streetscape) –
REPORT TO FOLLOW

The Contact Officer for this report is Richard Dobbs (719440).

JERRY HUTCHINSON
Chief Executive

NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE RESOURCES BOARD

28 January 2013

Present: Councillor Moore in the Chair

Councillors N Dirveiks, Humphreys, Johnston, Smith, Watkins and Winter.

An apology for absence was received from Councillor Davis (Substitute Councillor Humphreys).

Councillors Morson, Payne and Pickard were also in attendance. With the consent of the Chairman, Councillor Pickard spoke on Minute No 81, The Arcade.

62 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

63 **Minutes of the Resources Board held on 19 November 2012**

The minutes of the meeting of the Board held on 19 November 2012, copies having previously been circulated, were approved as a correct record and signed by the Chairman.

64 **Corporate Plan 2013-14**

The Board's approval was sought for the Corporate Plan Key Actions for which the Board was responsible. Members were also asked to agree the 2013-14 Service Plans for the Finance and Human Resources, Community Services and Corporate Services Divisions and the Internal Audit Service.

Recommendation to the Executive Board:

- a That those Corporate Plan Key Actions, as set out in Appendix A to the report of the Chief Executive, for which the Resources Board is responsible be agreed;**

Resolved:

- b That those elements of the Service Plans that are the responsibility of the Resources Board, as set out in Appendix B to the report of the Chief Executive, be agreed.**

65 **Appointment of Waste and Transport Manager**

The Assistant Chief Executive (Community Services) sought consideration for the creation of a new post of Waste and Transport Manager to cover two work areas of Refuse and Recycling and Transport. This new post follows changes to the partnership arrangements with Nuneaton and Bedworth Borough Council.

Resolved:

That subject to formal job evaluation and approval by Resources Board and Special Sub Group, the creation of the post of Waste and Transport Manager within the Streetscape Division, be approved.

66 **Parking Places Order 2013**

The Assistant Director (Streetscape) asked Members to approve a revised Parking Places Order and associated Schedules covering all the Borough Council owned and operated off-street car parks.

Resolved:

- a **That the maximum waiting times at Church Hill and Parkfield Road, Colehill, be extended to 14 hours; and**
- b **That subject to the amendment, the revised Parking Places Order 2013 and associated Schedules, as set out in the report of the Assistant Director (Streetscape), be approved.**

67 **General Fund Fees and Charges 2013/2014**

The Assistant Chief Executive and Solicitor to the Council, Assistant Director (Streetscape), Assistant Chief Executive (Community Services), Assistant Director (Housing), and Assistant Director (Finance and Human Resources) reported on the fees and charges for 2012/13 and the proposed fees and charges for 2013/2014.

Resolved:

That the schedule of fees and charges for 2013/2014, set out in the report of the Assistant Chief Executive and Solicitor to the Council, Assistant Director (Streetscape), Assistant Chief Executive (Community Services), Assistant Director (Housing) and Assistant Director (Finance and Human Resources) be agreed.

68 **General Fund Revenue Estimates 2012/13 – Services Recharged Across All Boards**

The Deputy Chief Executive reported on the revised budget for 2012/13 and gave an estimate of expenditure for 2013/14, together with forward commitments for 2014/15, 2015/16 and 2016/17 for those services recharged across all Boards.

Resolved:

- a **That the revised budget for 2012/13 be accepted; and**

Recommendation to Executive Board:

- b **That the Estimates of Expenditure for 2013/2014, as submitted in the report of the Deputy Chief Executive, be included in the budget to be brought before the meeting of the Board on 12 February 2013.**

69 **General Fund Revenue Estimates 2013/14 – Services Remaining Within the Board**

The Deputy Chief Executive reported on the revised budget for 2012/13 and gave an estimate of expenditure for 2013/2014, together with forward commitments for 2014/2015, 2015/2016 and 2016/2017 for those services remaining within the Board.

Resolved:

- a **That the revised budget for 2012/13 be accepted; and**

Recommendation to Executive Board:

- b **That the Estimates of Expenditure for 2013/2014, as submitted in the report of the Deputy Chief Executive, be included in the budget to be brought before the meeting of the Board on 12 February 2013.**

70 **General Fund Revenue Estimates 2013/2014 – Summary**

Summary

The Deputy Chief Executive reported on the revised budget for 2012/13 and gave an estimate of expenditure for 2013/14, together with forward commitments for 2014/15, 2015/16 and 2016/2017.

Recommendation to Executive Board:

That the following items be recommended to the Executive Board for consideration in setting the Council Tax of the Borough Council:

- a The revised budget for 2012/13; and**
- b The schedule of expenditure requirements totalling £8,609,870 for 2013/2014.**

71 Housing Revenue Account Estimates 2012/13 and Rent Review

The Deputy Chief Executive reported on the revised budget for 2012/13 and gave an estimate of expenditure for 2013/14, together with forward commitments for 2014/15, 2015/16 and 2016/17.

Resolved:

- a That the revised estimates for 2012/13 be accepted;**
- b That rent increases, calculated on the basis that the Council will continue to move properties towards their individual target rents, be adopted;**
- c That the proposed fees and charges for 2013/14 as set out in Appendix E to the report of the Deputy Chief Executive, be approved;**
- d That the service charges for the cleaning of communal areas, as detailed in Appendix F to the report of the Deputy Chief Executive, be approved from April 2013;**
- e That the service charges for window cleaning, as detailed in Appendix G to the report of the Deputy Chief Executive, be approved from April 2013; and**
- f That the Estimates of Expenditure for 2013/14, as submitted, be approved.**

72 Capital Programme Bids 2013/14 to 2015/16

The Assistant Director (Finance and Human Resources) identified proposals for schemes to be included within the Council's capital programme over the next three years.

Resolved:

- a That the schemes previously approved within the Council's three-year capital programme be supported;**

- b That the inclusion of the new scheme within the Council's provisional three year capital programme be supported; and**
- c That the schemes which will not be included within the capital programme be noted.**

73 Treasury Management Update - Quarter 3 2012/13

The Deputy Chief Executive detailed the Treasury Management activity during the first nine months of 2012/13.

Resolved:

That the Treasury Management Update Report for the first nine months of 2012/13 be noted.

74 Progress Report on Achievement of Corporate Plan and Performance Indicator Targets April – December 2012

The Chief Executive and Deputy Chief Executive informed Members of the progress with the achievement of the Corporate Plan and Performance Indicator targets relevant to the Resources Board for April to December 2012.

Resolved:

That the report be noted.

75 Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy for 2013/14

The Deputy Chief Executive outlined the Treasury Management Strategy, Minimum Revenue Provision Policy Statement and Investment Strategy for 2013/14.

Resolved:

That the proposed strategies for 2013/14 be approved.

76 Minutes of the Housing Sub-Committee held on 8 October 2012 and 21 November 2012

The minutes of the Housing Sub-Committee held on 8 October 2012 and 21 November 2012 were received and noted.

77 Exclusion of the Public and Press

Resolved:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

78 Request to have a Licence Over Land

The Assistant Director (Housing) informed the Board about a request for a licence of a Council garage site in Shustoke.

Resolved:

That the request to have a licence to cross the Council's garage site off The Green, Shustoke, as set out in the report of the Assistant Director (Housing) be agreed.

79 Request to Purchase Land

The Assistant Director (Housing) informed the Board about a request to purchase some land on the Coventry Road, Fillongley

Recommendation to the Council:

- a That the request to purchase land in Fillongley, in accordance with the terms set out by the Council's Valuer at 4.3 of the report of the Assistant Director (Housing), be agreed; and**
- b That the land in Fillongley, shown at Appendix A to the report of the Assistant Director (Housing), be declared surplus to the Council's requirements.**

80 Request to Purchase Land

The Assistant Director (Housing) informed the Board about a request to purchase some land on Willow Walk, Old Arley.

Recommendation to the Council:

- a That the request to purchase land in Old Arley, in accordance with the terms set out by the Council's Valuer at 4.3 of the report of the Assistant Director (Housing), be agreed; and**
- b That the land in Old Arley, shown at Appendix A to the report of the Assistant Director (Housing), be declared surplus to the Council's requirement.**

81 **The Arcade**

The Assistant Director (Streetscape) updated Members on discussions and correspondence with Atherstone Town Council around the conditions of sale of The Arcade and the problems which have been encountered.

Resolved:

- a That the offer made to Atherstone Town Council to sell The Arcade, Long Street, Atherstone, at a discounted rate as set out in the report of the Assistant Director (Streetscape) be withdrawn;**
- b That The Arcade, Long Street, Atherstone, be placed for sale on the open market; and**
- c That the Assistant Director (Streetscape) notify Atherstone Town Council of the decision of the Board to place The Arcade on the open market and request any comments within fourteen days.**

J Moore
Chairman

Agenda Item No 7

Resources Board

25 March 2013

**Report of the
Assistant Director
(Leisure and Community Development)**

Land at Waverton Avenue, Warton

1 Summary

- 1.1 This report seeks approval for the transfer of land at Waverton Avenue in Warton from the Housing Revenue Account to the General Fund, in order that the use of the land for allotments can be protected in the future.

Recommendation to the Board

That the proposed transfer of land at Waverton Avenue in Warton from the Housing Revenue Account to the General Fund, in order that the use of the land for allotments can be protected in the future, be approved.

2 Consultation

- 2.1 The Chairman, Vice-Chairman and Opposition Spokesperson for the Resources and Community and Environment Boards and the Housing Sub-Committee, Members with responsibility for Health, Well-being and Leisure and appropriate Ward Members, have all had the opportunity to comment on the content of this report. Any comments received will be reported verbally at the meeting.

3 Report

- 3.1 At its meeting held in January 2013 the Community and Environment Board received a report that included reference to a request from the North Warwickshire Allotment Federation that the Borough Council make clear the legal status of each allotment site under its ownership, as prescribed in Section 8 of the Allotment Act 1925 – i.e. the designation of each site as either “statutory” or “temporary”.
- 3.2 The Act states that statutory allotment land may only be disposed of with the consent of the Secretary of State, which may not be given unless the Minister is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable. Any consent given may be subject to conditions.

3.3 Statutory allotment land is that which was purchased as allotments or for the purpose of developing allotments and where the intention was to keep the land in this use i.e. at the time of purchase there were no proposals for development of the land for another use.

3.4 Temporary allotment land is that which was purchased either as allotments or has subsequently been developed as allotments, but where there was and is a proposal for the development of the land for other purposes. There is a requirement on behalf of land owners to be able to prove a site is not statutory when looking to dispose of allotment land.

3.5 Based on these definitions the Authority's allotments sites are designated as follows:

Ansley Common, Bretts Hall	-	Statutory
Ansley Common, St John's Road	-	Statutory
Ansley Village, Croft Mead	-	Statutory
Arley, Gun Hill	-	Statutory
Dordon, Birch Coppice	-	Statutory
Dordon, Birchmoor Road	-	Statutory
Warton, Waverton Avenue	-	Temporary

3.6 In view of the Allotment Federation's request, and for the avoidance of doubt, the Community and Environment Board approved a recommendation that the statutory status of the first six of these sites be formally acknowledged and published, including on the Council's website.

... 3.7 In the case of the Allotments in Warton (shown on the plan at Appendix A), the "temporary" designation applies as the land was purchased in 1956 for the development of housing and still falls within the remit of the Housing Revenue Account. In his report to the Executive Board on 26 November 2012 with regard to the Site Allocations Plan, the Assistant Chief Executive and Solicitor to the Council put forward six preferred sites for housing development in Warton, but excluded the allotment site as it is proposed to be retained as open space. Discussion with the Assistant Director (Housing) has confirmed that there are no plans to develop the land for housing or any other purpose.

3.8 Given that the site is no longer required for its original purpose, and that allotments have been successfully established there since 2009, the Community and Environment Board approved a recommendation that a request be made to this Board to transfer the land to the General Fund. This would enable it to be designated as a "statutory" site, thus protecting its use for allotments in the future.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 The Authority's Valuer has provided an indicative valuation of £46,000 for the land at Warton. If the proposed transfer of land is approved, under Item 8 of the Local Government and Housing Act 1989, the General Fund must compensate the Housing Revenue Account for the loss of the land on an annual basis. The compensation is based on the valuation of the land at the point of transfer and prevailing interest rates. This would incur a cost of £345 in 2012/13, a cost which would be expected to increase in future years, as and when interest rates rise. The annual compensation charge would be funded from the existing Parks, Playing Fields and Open Spaces budget, from which the running costs for allotments are met.
- 4.1.2 If interest rates return to more normal levels in the future, there will be additional pressure on the Parks and Playing Fields budget, as the annual charge could rise to around £2,000. This would reduce the funding available for other work.
- 4.1.3 The allotments at Warton were established over a four year period commencing in 2007/08. The Borough Council met the costs of the work, which amounted to £22,900, and contributed staff time, not only in managing the project but also in assisting members of the local community to set up the Warton Allotments Association that now leases and manages the site. From 2013/14 the site rent value to the Council will be £32 per annum.

4.2 Safer Communities Implications

- 4.2.1 Community engagement at allotment sites can contribute to a reduction in crime and anti-social behaviour, both directly by offering positive activities and indirectly by changing the perception of an area through good land management and an increased community presence. Well-managed allotment sites make a valuable contribution to the pride and well-being of local communities and help to ensure that these areas are less vulnerable to vandalism and fly tipping.

4.3 Legal and Human Rights Implications

- 4.3.1 Section 8 of the Allotments Act 1925 gives protection to statutory allotment sites. The action proposed in respect of the transfer and designation of the land at Warton would afford it protection through this legislation.

4.4 Environment and Sustainability Implications

- 4.4.1 Allotments offer the opportunity for community engagement in sustainable food production, composting of green waste and wildlife-friendly land management. As such, related activity affords opportunities for constructive and healthy activity within communities, an improvement of the local environment, enhanced social inclusion and heightened individual and collective quality of life.

4.5 Health, Well-being and Leisure Implications

4.5.1 Well-managed allotment sites make a valuable contribution to improving health and well-being within communities.

4.6 Risk Management Implications

4.6.1 The risk implications arising out of this report are highlighted within the financial implications section.

4.7 Equalities Implications

4.7.1 No equalities implications affecting any individuals or groups arising out of this report have been identified. Transfer of the allotment land at Warton would, however, afford protection to the site, thus treating the Allotment Association equitably with those that rent the Authority's other sites.

4.8 Links to Council's Priorities

4.8.1 The recommendation in this report is consistent with the Council's priorities in respect of:

- Public services
- Environment
- Crime and disorder
- Countryside and heritage
- Access to services
- Health and well-being

4.8.2 The provision of allotments has positive and direct links to the priorities of the North Warwickshire Sustainable Community Strategy to:

- Raise aspirations, educational attainment and skills
- Develop healthier communities
- Improve access to services

4.8.3 The provision of allotments also delivers against priorities set out in the North Warwickshire Green Space Strategy and in the Authority's Allotments Policy Statement

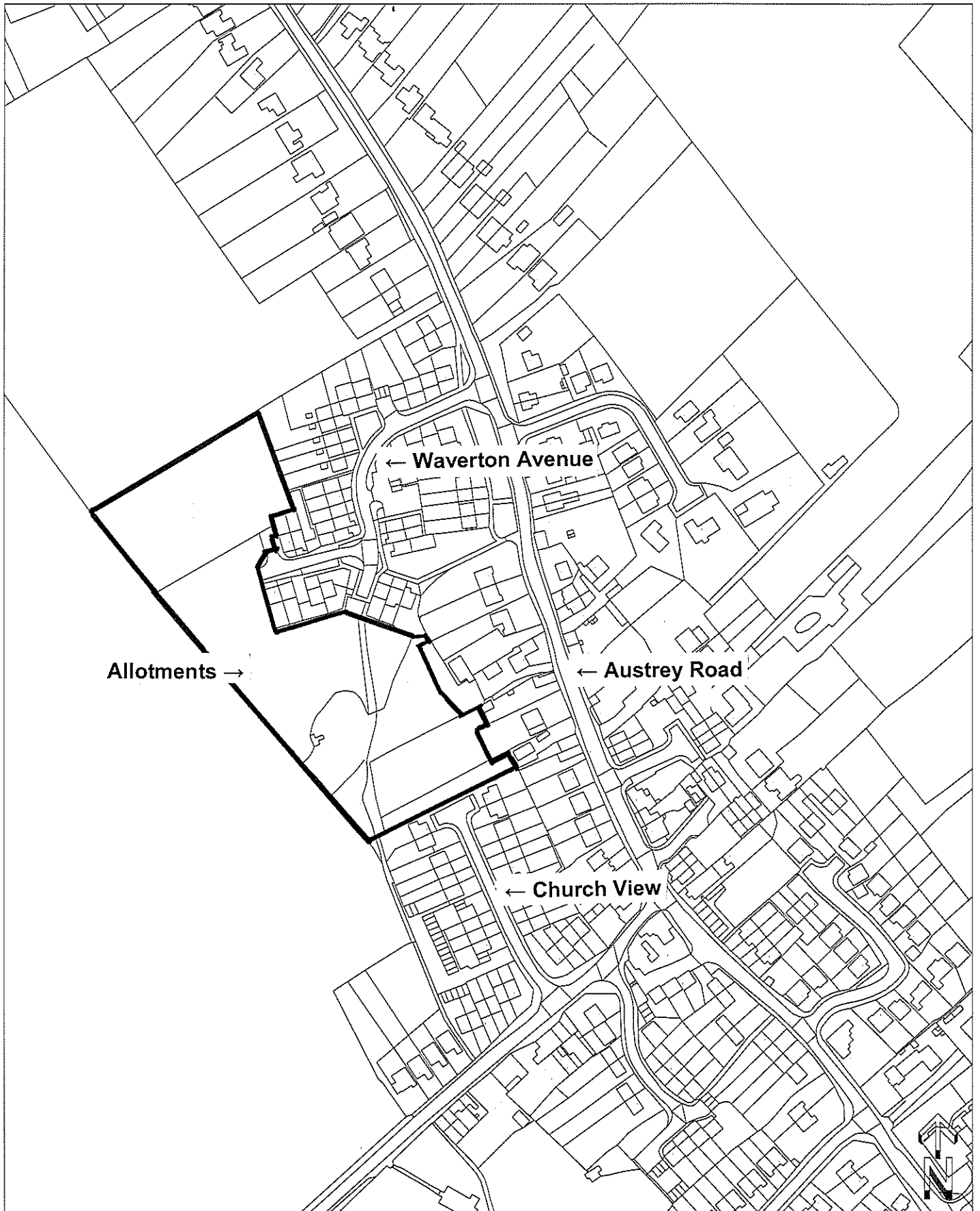
The Contact Officer for this report is Alethea Wilson (719212).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Assistant Chief Executive and Solicitor to the Council	Report to Executive Board (Site Allocations Plan – Issues and Options and Preferred Options)	26 November 2012
2	Assistant Director (Leisure and Community Development)	Report to Community and Environment Board	21 January 2013

Warton Allotments - Location



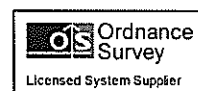
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Borough Council

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Agenda Item No 8

Resources Board

25 March 2013

Report of the Assistant Director (Housing)

Review of Grounds Maintenance Service for Council Sheltered Schemes

1 Summary

- 1.1 The grounds maintenance service delivered to Council sheltered schemes and flats is being reviewed. This report provides the Resources Board with a report which was submitted to the Housing Sub-Committee for consideration. The Housing Sub-Committee agreed the recommendations set out for the report.

Recommendation to the Board

- a That the review of the grounds maintenance service to sheltered schemes and flats be noted; and
- b The request for a growth bid for the grounds maintenance pilot scheme of £20,832 for 2013/14 only be agreed.

2 Consultation

- 2.1 The Housing Sub-Committee agreed the recommendations in the report attached at Appendix 1.

3 Background

- 3.1 The report attached at Appendix 1 of this report was submitted to the Housing Sub-Committee at its meeting on 4 February 2013. The recommendations were agreed. It is now submitted to the Resources Board to consider the proposed one of growth bid for 2013/2014.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 Currently the Housing Revenue Account is charged £38K for the works carried out by Streetscape to estates and properties owned by the Council. This charge and the specification that supports it are being reviewed.

4.1.2 The cost for the pilot estimated at £20,832 will be resourced from the Housing Revenue Account. It will be a one off cost for 2013-2014. Once the pilot has been reviewed, with costs for recommendations proposed and agreed consideration will have to be given to how a new specification will be procured to ensure best value. This will require a growth bid of £20,832 to cover the one off costs.

4.2 Safer Communities Implications

4.2.1 Ensuring Council estates are kept in good order helps to promote communities which are free from anti social behaviour.

4.3 Human Resources Implications

4.3.1 The pilot will be undertaken by the Streetscape Section in close liaison with the Neighbourhoods Team. The schemes which will be used as part of the pilot are relatively small with some close together in travel terms. A new team will not be created to undertake the pilot. However additional resource will be created as required by using agency staff to create capacity. Implications for staffing arrangements in the Neighbourhoods Team and the Streetscape Team will be considered as part of the review and be reported with other recommendations.

4.4 Environment, Health and Sustainability Implications

4.4.1 Protect and enhance the local landscape by ensuring that the Council estates are kept in good order thus helping to reduce crime and disorder.

The Contact Officer for this report is Angela Coates (719369).

Appendix 1

Agenda Item No 13

Housing Sub-Committee

4 February 2013

Report of the
Assistant Director (Housing)

Review of Grounds Maintenance
Service for Council Sheltered
Schemes

1 Summary

- 1.1 The grounds maintenance service delivered to Council sheltered schemes and flats is being reviewed. This report provides the Sub-Committee with information about the review and proposes a pilot project to evaluate some changes.

Recommendation to the Sub-Committee

- a That the review of the grounds maintenance service to sheltered schemes and flats be noted; and
- b That the proposal to test new ways of working and evaluate costs in a pilot scheme for 6 sheltered schemes be agreed.

Recommendation to the Resources Board:

- c To request a growth bid for the grounds maintenance pilot scheme of £20,832 for 2013/14 only.

2 Consultation

- 2.1 The Chair of the Housing Sub-Committee (Councillor Winter) and Opposition Spokesperson (Councillor Johnston) have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Background

- 3.1 The grounds maintenance service to Council owned stock (sheltered schemes, bungalows which are not in sheltered schemes, flats and garage sites) has provided the same level of service for many years. Annual tenant satisfaction surveys ask respondents to prioritise the services which are important to them. Maintenance services are always top of the list however

they are closely followed by the importance of the quality of the neighbourhood.

- 3.2 The Council's budget commitments supported the delivery of the Decent Homes Standard for its stock by December 2010. This largely dealt with properties rather than external parts on estates. As part of its Asset Management Plan actions the Housing Division needs to consider how rent income can support sustaining homes and garages in good condition but also the general environment of those properties. In order to do so a review of grounds maintenance services has commenced.
- 3.3 The review is at a very early stage. However this report sets out some of the initial considerations and makes a proposal for a fact finding pilot scheme.

4 Current Service Provision

- 4.1 Currently the Council's sheltered schemes, flats and groups of bungalows receive the same level of service as other housing, residential and amenity areas across the Borough.
- 4.2 The specification is that grass is recommended to be cut on a 14 day cycle during the main growing season and shrub beds are maintained on a regular basis (pruned a minimum of twice during the growing season) and overhauled at least once per year between November and March
- 4.3 Whilst this is sufficient for general open spaces on housing estates it is not always enough for the smaller enclosed more residential schemes within the housing stock. For example on some schemes front lawns are cut as well as the amenity land. Cutting front lawns to this standard is not adequate. It is a source of complaint from elderly tenants because of the standard that can be achieved and some tenants decide to cut their lawns themselves which results in logistical issues for the mowers. There is also a problem in more enclosed areas when grass cuttings are not collected. Issues also arise with regard to flower and shrub beds in these areas because during the growing season the Streetscape team may not have time to tend to them in a way that tenants would hope for. The Neighbourhood Warden team is able to step in to assist and troubleshoot and tenants do get involved themselves but this does not necessarily provide a consistent service.
- 4.4 The review which has begun is considering:
- The specification for grounds maintenance services for sheltered schemes, flats and groups of bungalows – especially where lawns are cut as part of the works carried out
 - The specification and extent of work carried out for all Housing Revenue Account sites
 - What information and working practices Streetscape and Housing Management need to share to ensure smooth working arrangements

- 4.5 The review is likely to take another 8 months to conclude and be ready to make recommendations to the Housing Sub-Committee. However key considerations are concerned with specifying works and costs. In order to assist the review a pilot project is proposed to assist with these factors.
- 4.6 The Grounds Maintenance Performance Specification provides for an enhanced specification for prestige sites. This specification sets out to:
- Grass to be box cut once a week (to achieve a garden rather than amenity land standard)
 - Shrub beds to be tended to once a week
 - Attend to hard surfaces and blocked paved areas
 - Garage sites and drying areas to be attended to monthly and kept free of weeds and debris

As part of the review we need to consider what works specification is appropriate and affordable for sheltered schemes, flats and groups of bungalows. As a starting point it would be useful to evaluate how far this specification would be appropriate and affordable. In doing so close consideration can be given to how the Neighbourhood Wardens and Streetscape Team work together and work differently.

- 4.7 It is proposed that six sheltered schemes are used in a pilot scheme (George Road/ Beavons Close Water Orton, St Johns Road, Ansley Common, Rowland Court/ Meadow Croft Arley, Drayton Court Hartshill, Paddocks Close and Park Avenue, Polesworth). This will give us a variety of different sites to consider and all of them have actively involved tenants who will be keen to give feedback.
- 4.8 In addition to considering changes to sheltered schemes the review will review arrangements between Streetscape and the Housing Division to ensure that the teams are able to work together without duplication and to get the best results for tenants. This will include:
- The Neighbourhoods Team and Streetscape are able to work in close unison
 - Housing consults Streetscape before undertaking any works to communal garden areas
 - Tenants are provided with information about implications of creating gardens on communal garden areas Housing consult Streetscape on grounds maintenance issues on new schemes – to add to routine works and attract recharge
- 4.9 The pilot is fairly small and therefore the economies of scale of a larger works contract are lost. It is proposed that in order to develop the specification the pilot is undertaken by the Council's Streetscape Section. This will allow for close monitoring and review of what works and what doesn't work. The works for the pilot will be undertaken by Streetscape staff with additional resources bought in from agency staff as required. More work will be required during April to September with a lessening off from October to March depending on

the weather. During the summer it is estimated that the work will need the equivalent of 2 days a week and require 2 members of staff plus equipment. During the winter season it is estimated that the work will need the equivalent of 1 day a week and require 1 member of staff plus equipment. The costs are estimated at £20,832 for the length of the pilot.

4.10 As part of the review we will consult with Tenants. Those that we have spoken to already have indicated their priorities:

- They would like a responsive service
- They would like improved quality – especially grass cutting where garden lawns are concerned
- They would like to be clear which team is responsible for what
- They would like to understand who deals with trees and whether there is a management plan for them
- They have asked for clarity about who is responsible for back paths and ensure they are kept tidy
- They would like the grounds maintenance service to have a strong link to Neighbourhood Warden Service

4.11 In order to evaluate the level of grounds maintenance specification that would be appropriate for the Council's properties and the potential costs a small pilot scheme is proposed. The specification for the pilot scheme is based on the description for 'Prestige Sites' set out in the Council's Grounds Maintenance Performance Specification. Ultimately this specification may not be the most appropriate and affordability will be a consideration. However the pilot uses this as a starting point to explore the requirements for a future specification.

4.12 The review is likely to recommend a revised specification and costs. Consideration of costs will take account of the £38K that is recharged to the Housing Revenue Account for works to Council owned sites across the Borough, the use of service charges for enhanced works and some savings options which may include changing the current specification so that the Council does not cut front lawns.

5 Report Implications

5.1 Finance and Value for Money Implications

5.1.1 Currently the Housing Revenue Account is charged £38K for the works carried out by Streetscape to estates and properties owned by the Council. This charge and the specification that supports it are being reviewed.

5.1.2 The cost for the pilot estimated at £20,832 will be resourced from the Housing Revenue Account. It will be a one off cost for 2013-2014. Once the pilot has been reviewed, with costs for recommendations proposed and agreed consideration will have to be given to how a new specification will be procured to ensure best value. This will require a growth bid of £20,832 to cover the one off costs.

5.2 Safer Communities Implications

- 5.2.1 Ensuring Council estates are kept in good order helps to promote communities which are free from anti social behaviour.

5.3 Human Resources Implications

- 5.3.1 The pilot will be undertaken by the Streetscape Section in close liaison with the Neighbourhoods Team. The schemes which will be used as part of the pilot are relatively small with some close together in travel terms. A new team will not be created to undertake the pilot. However additional resource will be created as required by using agency staff to create capacity. Implications for staffing arrangements in the Neighbourhoods Team and the Streetscape Team will be considered as part of the review and be reported with other recommendations.

5.4 Environment, Health and Sustainability Implications

- 5.4.1 Protect and enhance the local landscape by ensuring that the Council estates are kept in good order thus helping to reduce crime and disorder.

The Contact Officer for this report is Angela Coates (719369).

Agenda Item No 9

Resources Board

25 March 2013

**Report of the
Assistant Director (Housing)**

**Asbestos Management Plan –
Housing Division**

1 Summary

- 1.1 This report provides the Resources Board with information about the Council's duties with regard to managing asbestos in its housing stock. It proposes new arrangements to undertake the relevant surveys required to manage asbestos in domestic and non domestic premises.

Recommendation to the Board

- a That the proposal to employ two agency members of staff for a period of two years to undertake asbestos surveys be approved; and**
- b A growth bid of £74,900 for 2013-14 and 2014-15 be approved to cover the costs of employing the above agency employees.**

2 Consultation

- 2.1 Councillors Winter and Johnston have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

3 Background

- 3.1 The Council has a 'Management of Asbestos at Work Policy' which sets out how it will act with regard to dealing with asbestos in its premises. As part of this policy the Housing Division is expected to have its own Asbestos Management Plan which sets out how asbestos will be managed in communal areas and domestic premises.
- 3.2 The Housing Division's Asbestos Management Plan was revised and updated this year following an incident which was fully investigated by the Health and Safety Officer. It is particularly detailed in what is expected of staff when they are dealing with asbestos. It is supported by formal team briefings and regular training.
- 3.3 As part of its revision of the Asbestos Management Plan the Housing Division has been considering how it obtains information about asbestos in both none

domestic and domestic properties as well as whether it should be more proactive in removing asbestos materials when they are found in void properties. The rest of this report shares these considerations with the Board and makes some proposals.

4 Asbestos Management

- 4.1 There is a legal requirement and specific regulations with regard to managing asbestos in non-domestic premises. The 'duty to manage asbestos' requirements do not normally apply to domestic premises. However the requirements do apply to common parts of premises, including staircases, boiler houses, gardens, yards and outhouses, but there are no direct duties on landlords for individual dwellings. Nonetheless the Health and Safety at Work Act requires all employers to conduct their work so their employees will not be exposed to health and safety risks and this extends to third parties such as tenants.
- 4.2 The Health and Safety Executive gives very clear guidance about how asbestos should be managed and expects organisations to adhere to both the legislative requirements and the regulatory guidance. The purpose of managing asbestos in buildings is to prevent or, where this is not reasonably practical, minimise exposure for workers and other people in the premises. To prevent this exposure information is needed on whether asbestos is, or is likely to be present, in the buildings, so that an assessment can be made about the risk it presents and appropriate measures put in place to manage those risks.
- 4.3 Having information about the asbestos in our properties – domestic or non-domestic is critical to making decisions about how to manage it. Specialist surveyors have to be used to establish the information. Health and Safety Executive Guidance provides a clear expectation that the information will be provided by way of either a management survey or a refurbishment and demolition survey.
- 4.4 A management survey is the standard survey and its purpose is to locate, as far as reasonably practical, the presence and extent of any suspect asbestos containing materials in the building which could be damaged or disturbed during normal occupancy – including foreseeable maintenance and installation – and to assess their condition. The survey will involve minor intrusive work and some disturbance. It also involves sampling and analysis.
- 4.5 Refurbishment and demolition surveys are needed before any refurbishment or demolition work is carried out. It is used to locate and describe all asbestos containing materials in the area where the refurbishment will take place or in the whole building if demolition is planned. It is a disruptive and fully intrusive survey which may need to penetrate all parts of the building structure. There is a specific requirement in the regulations for all asbestos containing materials to be removed before major refurbishment or final demolition. Removal is also appropriate in smaller refurbishment situations such as those which arise in vacant properties or providing disabled adaptations.

- 4.6 The Housing Division has proactively sought to establish what asbestos containing materials are present in its non domestic properties and common parts. The information was established by employing specialist surveyors. The surveys are used to provide for information for the Division's asbestos management plan and there is an annual audit to monitor the condition of the material identified in the plan.
- 4.7 In domestic properties there is no duty to identify asbestos but as part of our duty of care to workers and tenants surveys have been undertaken to establish information and share it with the workforce and tenants. Initially this was by way of a visual survey of 25% of dwellings which was then cloned to provide information for similar archetypes. Subsequently there was a management survey of 20% of properties which included the testing of materials found in order to understand exactly what they were. In addition as improvement works have been undertaken there have been both surveys and the removal of asbestos which has assisted the Maintenance Section to update its records.
- 4.8 It is estimated that around 37% of the Council's dwellings have had a survey which provides information about asbestos containing materials in order to enable the Maintenance Section to manage the material in an appropriate way.
- 4.9 Asbestos containing materials in premises cannot be managed without good information. There is an ongoing requirement to have specialist surveys of properties before works are undertaken and there is no current information available. With around 170 vacancies annually and 25 mutual exchanges in which surveys are required the Council will be adding to its knowledge year on year. In addition to this specialist refurbishment and demolition surveys are required before improvement works are undertaken. This amounts to about another 250 properties in which we have good information about the asbestos or it is removed as part of the works undertaken.
- 4.10 The good information required in order to manage asbestos containing materials can only come from specialist surveyors. There is a significant financial commitment required to procure the specialist surveyors and the Board will re-call that additional funds were provided for the Repairs Fund to support this very important work during 2012. The Housing Division has given some consideration to how it can speed up the process of obtaining information about asbestos in domestic dwellings in order to protect workers and tenants and still be cost effective.
- 4.11 It is proposed that rather than employing specialist contractors and paying for surveys on an individual basis the Housing Division employs two agency members of staff for a period of 2 years to primarily undertake refurbishment and demolition survey work required for improvement works and on vacant properties. As time allows they could also proactively survey dwellings to improve the extent of information available to the Council and its tenants. The proposal will bring a number of improvements to the current arrangements. It will provide additional expertise and capacity to the Maintenance Team to help them to bring a stronger focus to their work in the management of asbestos, it

will help the service to be more proactive in getting information on the presence of asbestos in dwellings and will be more cost effective than contracting specialist firms.

- 4.12 The surveyors would be suitably qualified and the intention is to employ them for 2 years. If they complete an average of 2 surveys a day it is estimated that as well as undertaking any reactive management surveys they would be able to survey the remainder of the Council's dwellings. As part of their visits they would also be asked to provide information which would support and update the Council's stock condition database. This information is critical to support the Council's 30 year Business Plan.

5 Report Implications

5.1 Finance and Value for Money Implications

- 5.1.1 Currently a refurbishment and demolition survey costs around £270 and a management survey costs £170.

- 5.1.2 The table below shows that during 2011/12 and 2012/13 we spent £142,590 on 637 surveys.

Last 2 years actual spend	Number	Cost per survey £	Total £
<u>Survey spend 2011-12</u>			
Refurbishment and Demolition Surveys	81	270.00	21,870
Management Surveys	144	170.00	24,480
<u>Survey spend 2012-13</u>			
Refurbishment and Demolition Surveys	262	270.00	70,740
Management Surveys	150	170.00	25,500
Total costs for 2011-12 and 2012-13	637		142,590

- 5.1.3 The table below shows the expected number of surveys of 1,840 equating to an expected cost of £434,800 during 2013/14 and 2014/15 using a private company.

Last 2 years actual spend	Number	Cost per survey £	Total £
<u>Survey spend 2013-14</u>			
Refurbishment and Demolition Surveys	610	270.00	164,700
Management Surveys	310	170.00	52,700
<u>Survey spend 2014-15</u>			
Refurbishment and Demolition Surveys	610	270.00	164,700
Management Surveys	310	170.00	52,700
Total costs for 2011-12 and 2012-13	1,840		434,800

- 5.1.4 If the Council employs two qualified surveyors, through an agency, for a period of 2 years. In addition to undertaking necessary demolition and refurbishment surveys they would add capacity to the team in order to proactively undertake management surveys. The table below shows the cost of employing the agency staff.

Cost of employing 2 agency Staff for 2 years	£
(1) Salary costs £700 per week X 46 weeks	32,200
(2) Salary costs £700 per week X 46 weeks	32,200
2 X PC's	4,500
2 X Phone	700
Mileage X 2	5,300
Cost per annum for 2 agency employees	74,900
multiplied by 2 years	149,800

5.1.5 As can be seen, comparing the total costs of employing two agency employees at £149,800 (table 5.1.4) over the two year period is considerably cheaper than continuing to use an external company to complete the work at £434,800 (table 5.1.3), by £285,000 over the two year period. Therefore a growth bid is requested to cover the costs of the 2 agency employees at £149,800 over the two year period.

5.1.6 The employment of agency staff to undertake these duties provides a flexible work force which can be changed if the level of surveys required changes over time.

5.2 Legal and Human Rights Implications

5.2.1 There are clear legal and regulatory duties with regard to the management of asbestos. The duties for non domestic premises are set out in the Control of Asbestos Regulations 2006. In addition the Council has to adhere to duties set out in the Health and Safety at Work Act and ensure workers and the public are protected from exposure (or minimise the exposure) to asbestos.

5.3 Human Resources Implications

5.3.1 It is proposed that the specialist surveyors employed to work as part of the Maintenance Team will be from an agency. The Council uses a service to procure agency staff.

5.3.2 The surveyors will report directly to the Housing Maintenance Manager.

5.4 Risk Management Implications

5.4.1 The proposed action will assist in ensuring that asbestos is dealt with appropriately, which will reduce the health and safety risks of the Council.

The Contact Officer for this report is Angela Coates (719369)

Agenda Item No 10

Resources Board

25 March 2013

Report of the Assistant Chief Executive (Community Services)

Adoption of a Revised Discretionary Housing Payment Policy

1 Summary

- 1.1 The purpose of this report is to request that Members adopt a revised Discretionary Housing Payment Policy (DHP) to reflect the changes in Housing and Council Tax Benefit as well as the wider welfare reforms that take effect on 1 April 2013.

Recommendation to the Council

To approve the Discretionary Housing Payment (DHP) policy as attached at Appendix A.

2 Consultation

- 2.1 The updated DHP policy has been developed with officers from Nuneaton & Bedworth Borough Council which should ensure a consistent application of this discretionary power within the area.
- 2.2 Consultation has also been undertaken with the local Citizens Advice Bureau and Warwickshire Welfare Rights Service to agree the final policy proposed.

3 Background to the Report

- 3.1 Since 2001, all Councils have been awarded a fixed amount of money by the Government to help people who qualify for housing or Council Tax benefit, but who are having trouble paying their rent or Council Tax.
- 3.2 Using a set of guidelines previously agreed by this board to award DHP, officers decide following receipt of a written application when it is appropriate to top up benefit award payments having regard to individual customer's circumstances.
- 3.3 As such, a DHP may be used to pay for:
- rent deposits
 - rent in advance
 - rent arrears (but not if you were receiving enough housing benefit to pay all of your rent at the time the arrears built up)

- a shortfall between housing benefit and rent
- reductions caused by a number of the welfare changes that have been introduced in recent years

3.4 The Council already have a DHP policy in place which sets out how a DHP can be applied for and the circumstances we will take into account when considering if a payment can be granted. However, with the abolition of Council Tax Benefit and other forthcoming changes from Welfare Reforms and Universal Credit, the DHP Policy has needed to be updated.

... 3.5 The revised DHP policy attached at Appendix A will take effect from 1 April 2013. Whilst it is based largely on the existing policy, it makes it clear that a DHP will not be awarded for any shortfall in Local Council Tax Support (the cut of 8.5% on current Council Tax Benefit awards in 2013/14). However, it can be used to provide support to those affected by Welfare Reform changes such as non dependent deduction changes, the benefit cap or the bedroom tax.

4 **Report Implications**

4.1 **Finance and Value for Money Implications**

4.1.1 In 2012/13, the Council received a DHP budget from the Government of £30,208. A Council was allowed to top this budget up from its own funds up to a maximum spend of £75,520. The Council has never spent over the Government award due to a lack of demand as well as other budgetary pressures.

4.1.2 In 2013/14, the Council will receive a DHP budget from the Government of £77,981, increased to reflect the impending changes and is allowed to incur a maximum spend of £194,953 should it choose to top it up from its own funds. At this stage, no proposals are being made to recommend this but this position will be monitored by the Assistant Chief Executive (Community Services) as part of monthly financial monitoring arrangements in place.

4.1.3 It is anticipated that the DHP fund will be insufficient to meet the increased demand that will be placed on it by tenants expected to meet increased housing costs in 2013/14. As such, it is anticipated that a number of applications will not be successful even where increased hardship can be proven.

4.1.4 Officers will consider with tenants alternative ways of meeting their shortfall but, should it be considered necessary to request a supplementary estimate to increase the DHP budget available in 2013/14, this will be reported to Members at a future Board who will have to consider this, having regard to other competing budgetary pressures

4.2 **Safer Communities Implications**

4.2.1 The award of a DHP even for a short period of time should ensure a safety net is put in place to help at a time when people are at their most vulnerable. It will provide the time and opportunity for the applicant and support organisations to review a more sustainable and permanent solutions to assist the customer meet their increased financial obligations going forward.

4.3 Human Resources Implications

4.3.1 The Division anticipates a significant increase in the number of applications that will need to be considered by officers. In addition, many customers will rely on help to assist them in submitting written applications placing further demands and expectations on the Council and local advice agencies.

4.3.2 This increase in workload will be monitored to ensure there is sufficient capacity to respond to written applications in a timely way.

4.4 Legal and Human Right Implications

4.4.1 There is no right of appeal to a tribunal where the Council refuses to make an award of DHP but the applicant can ask the Council to review its decision. This is covered under Section 12 of the policy. If that request fails, the only way to challenge the decision is in the courts by way of Judicial Review.

4.5 Risk Management Implications

4.5.1 Please refer to the risk management document at the end of this report.

4.6 Equalities Implications

4.6.1 None

The Contact Officer for this report is Bob Trahern (719378).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Equality Impact Assessment Summary Sheet

Please complete the following table summarised from the equality impact assessment form. This should be completed and attached to relevant Board reports.

Name of Policy Procedure/Service	Revised Discretionary Housing Policy
Officer Responsible for assessment	Bob Trahern

Does this policy /procedure /service have any differential impact on the following equality groups /people

- (a) Is there a positive impact on any of the equality target groups or contribute to promoting equal opportunities and improve relations or:
- (b) could there be a negative impact on any of the equality target groups i.e. disadvantage them in any way

Equality Group	Positive impact	Negative impact	Reasons/Comments
Racial			
Gender			
Disabled people			
Gay, Lesbian and Bisexual people			
Older/Younger people			
Religion and Beliefs			
People having dependents caring responsibilities			
People having an offending past			
Transgender people			

If you have answered **No** to any of the above please give your reasons below

Please indicate if you believe that this document

Should proceed to further Impact assessment

Needs no further action

Risk Management Form

**NORTH WARWICKSHIRE
BOROUGH COUNCIL**

Division

Cost Centre or Service

Risk Ref	Risk: Title/Description	Consequence	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Gross Risk Rating	Responsible Officer	Existing Control Procedures	Likelihood(5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
1	Insufficient funds to meet the demand on the DHP available funds	Customers are unable to meet their rent payments in full	4	4	16	Bob Trahern	The Council will review the level of applications and seek alternative ways of providing support if funding is not available e.g. making awards of food	3	3	9
2	Lack of capacity to deal with a significant increase in the number of requests for DHP and the subsequent appeals	Inability to operate an efficient benefits service	2	5	10	Bob Trahern	We will continue to work closely with customers and partners to mitigate the risk of this happening	2	2	4
3	The DHP scheme is brought into disrepute	Policy is not "fit for purpose"	2	5	10	Bob Trahern	We have experience of operating our current scheme which will mitigate the risk of this happening	1	5	5

Completed By: Bob Trahern

Date 5 March 2013

North Warwickshire Borough Council
POLICY STATEMENT
Discretionary Housing Payment Scheme (DHP)

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10. Notification
11. Refused DHP
12. The Right to Seek a Review
13. Overpayments
14. Publicity
15. Fraud
16. Money Spent and Monitoring

1. LEGISLATION

Primary Legislation: The Child Support, Pensions and Social Security Act 2000.

Regulations: Discretionary Financial Assistance Regulations 2001.

2. BACKGROUND

In July 2001, a new scheme was introduced which granted all Local Authorities new powers to award a top up payment to the Housing and Council Tax Benefit statutory schemes.

Following the abolition of Council Tax Benefit from April 2013, Discretionary Housing Payments (DHPs) can no longer be made towards council tax liability. A customer who is receiving Council Tax Support, with no rental liability (e.g. an owner occupier) is not eligible to apply for a DHP.

The DHP scheme from April 2013 will now only cover shortfalls in housing costs. Every claimant who is entitled to the minimum amount of Housing Benefit or Universal Credit and who has a shortfall is entitled to make a claim for help. The purpose of the scheme is to provide additional funds to benefit recipients who are suffering from financial hardship and are unable to meet their housing costs.

Housing costs are not defined in the regulations and this gives North Warwickshire District Council a broad discretion to interpret the term as they wish. In general, housing costs means rental liability. However, housing costs can be interpreted more widely to include:

- Rent in advance.
- Deposits.
- Other lump sum costs associated with a housing need such as removal costs.

The main features of the scheme are:

- The scheme is purely discretionary; a claimant does not have a statutory right to a payment.
- The amount that can be paid out by an Authority in any financial year is cash-limited by the Secretary of State.
- The administration of the scheme is for the Benefits Department to determine.
- DHP's are not a payment of Housing Benefit or Universal Credit. However, the minimum amount of Housing Benefit or Universal Credit must be in payment in the benefit week that a DHP is awarded for.

Shortfalls that DHP's can cover:

- Rent officer restrictions such as Local Reference Rents (LRR), Single Room Rent (SRR) size criteria or when the Local Housing Allowance (LHA) does not meet the rent.
- Reductions in Housing Benefit or Universal Credit entitlement following changes to the LHA rates.
- Non-dependant deductions.
- Income tapers.
- Rent deposits and rent in advance: a DHP can be awarded for a rent deposit or rent in advance for a property that the claimant has yet to move into if they are already entitled to Housing Benefit or Universal Credit for their present home. Using a DHP for this purpose is appropriate where a Council does not operate a deposit guarantee scheme.
- On two homes: the regulations permit a person to have help through a DHP award with rent due on a property they have moved into when treated as temporarily absent from their home e.g. the claimant has moved due to domestic violence. If the customer is liable for the rent on both properties and in both cases there is a shortfall, a DHP could be awarded in respect of both properties subject to the weekly limit on each property.
- If the claimant is liable for payments on one dwelling but is having to pay rent on two, a weekly DHP could be made to assist with the temporary accommodation up to the level of the weekly eligible rent on the dwelling from which they are temporarily absent.
- Rent shortfalls to prevent a household becoming homeless whilst the Housing Department explores alternative options.

In addition to the above DHPs can be used to provide support to customers affected by some of the key welfare reforms including:

- Reductions in Housing Benefit or Universal Credit where the benefit cap has been applied.
- Reductions in Housing Benefit or Universal Credit for under-occupation in the social rented sector.
- Reductions in Housing Benefit or Universal Credit as a result of LHA restrictions to the shared room rate for those customers who have not reached 35 years.

DHP's cannot be used for help with:

- Ineligible service charges.
- Increases in rent due to arrears.
- Shortfalls in the Second Adult Rebate.
- Shortfalls in Council Tax Support.
- Certain sanctions and reductions in benefit.

Further guidance can be found in Appendix B of the Department for Work and Pensions Discretionary Housing Payments Good Practice Guide (April 2013.)

3. BENEFITS DEPARTMENT TEAM POLICY

The purpose of this policy is to specify how North Warwickshire Borough Council's Benefits Department will operate the scheme and to indicate some factors that will be considered when deciding if a DHP can be made. Each case will be treated strictly on its merits and all customers will be treated equally and fairly when the scheme is administered. The Benefits Department is committed to working with the local voluntary sector, social landlords and other interested parties within the district to maximise entitlement to all available state benefits and this will be reflected in the administration of the DHP scheme.

4. STATEMENT OF OBJECTIVES

The Benefits Department will consider making a payment of a DHP to claimants who meet the qualifying criteria. Before making an award the authority must be satisfied that the customer is entitled to:

- Housing Benefit; or
- Universal Credit; and
- has a rental liability; and
- requires further financial assistance with housing costs.

This policy is not intended to define the specific situations of when we will or will not make a discretionary payment, to do so would make the policy too rigid and may prevent payments being made where there are exceptional or unusual circumstances. Payments are expected to be made to meet current needs rather than past debts.

The Benefits Department has built up expertise and local knowledge which enables the authority to profile their DHP budget to meet demand over the course of the year. Following welfare reform changes it is predicted that demand is going to significantly increase and therefore, the Council will need to continue to review its DHP fund.

The Benefits Department will see through the operation of this policy to:

- Alleviate poverty.
- Encourage and sustain the Authorities residents in employment.
- Help those who are trying to help themselves.
- Keep families together.
- Prevent child poverty.
- Support the vulnerable in the local community.
- Help customers through a personal crisis / difficult event.
- Support households that are returning to work after a period of unemployment and provide assistance in the managing of their finances during the transition from coming off benefit and receiving wages and securing Working Tax Credit entitlement.
- Support those who are in affordable housing but at risk of becoming homeless due to being unable to meet their full rent liability due to severe financial difficulties from the effects of the current economic climate.

5. CLAIMING A DHP

A claim for a DHP must be made by the claimant or authorised appointee. This can either be

- 1) in writing and signed by the claimant.
- 2) By telephone
- 3) By email.

On request or in appropriate circumstances, the Benefits Department will issue the claimant with a DHP application form, informing them that the form needs to be returned within one month of its issue. The claimant will be required to return the form to the Benefits Department within one month of its issue and will be encouraged to include any relevant supporting evidence.

The Benefits Department may request any reasonable evidence in support of a claim for a DHP, and all requests will be made in writing. The claimant will be asked to provide the evidence within one month of such a request, although this will be extended in appropriate circumstances. Sufficient evidence will need to be obtained to enable the decision maker to compare income against expenses to identify where there is a shortfall.

If the claimant is unable to or does not provide the required evidence, the Benefits Department will still consider the application and will in any event take into account any other available evidence including that held on the Housing Benefit file. The department reserves the right to verify any information or evidence provided by the claimant in appropriate circumstances.

6. PERIOD OF AWARD

The Benefits Department considers that the DHP scheme should be seen as a short term fund to assist financial hardship. It is not and should not be considered as a way around any current or future entitlement reductions set out within the Housing and Council Tax Benefit legislation. In all cases, the Benefits Department will decide the length of time for which a DHP will be awarded on the basis of the evidence supplied and the facts known.

The start date of an award will normally be:

- i. The Monday after the written claim form for a DHP is received or initial request made to the Benefits Department; or
- ii. The date on which entitlement to Housing Benefit or Universal Credit commenced (providing the DHP application form is received within one calendar month of the claim for Housing Benefit or Universal Credit being decided), whichever is the most appropriate.
- iii. Any other date the Benefits Section deems appropriate. For instance the date that the customers circumstances changed that led to the claim for the DHP

The Benefits Department cannot award a DHP for any period outside an existing Housing Benefit or Universal Credit period granted under the Housing Benefit or Universal Credit statutory schemes.

- The minimum period for which the Benefits Department will award a DHP is one week.
- The length of time that a DHP is awarded for will be dependent on the claimant's circumstances
- The Benefits Department will consider any reasonable request for backdating an award of a DHP but such consideration will usually be limited to the current financial year.

Backdating a DHP

The Benefits Department will look at each claim on its own merits when deciding whether or not to backdate a DHP. Unlike Housing Benefit or Universal Credit, there are no rules on backdating, but the Benefits Department will act consistently.

7. AWARDING A DHP

All applications will be considered by Overpayment and appeals officers in the first instance. Decisions are restricted to the Overpayments and appeals team so that the fund can be closely monitored and to ensure that there is consistency in the decision making process.

Essentially the Council will compare the household income and expenditure to see whether the customer is in need of further financial assistance to meet their housing costs. Each decision reached is "discretionary" and is not governed by strict regulations, although the Council will ensure that all decisions made are impartial and reasonable.

Please note that the regulations regarding the treatment of income in Housing Benefit and Universal Credit claims do not apply in the DHP decision making process. Therefore, we may decide to count income into a DHP calculation that might have disregarded in the Housing Benefit or Universal Credit assessment e.g. Child Benefit and Maintenance Payments.

Similarly we can use our discretion when determining if the expenses are reasonable. Any decisions made about a person's expenditure will be done on an individual basis and may require some additional clarification by the Council.

In deciding whether to award a DHP, the Benefits Department will take into account:

- The shortfall between Housing Benefit or Universal Credit and the rental liability.
- Any steps taken by the claimant to reduce their rental liability.
- The medical circumstance of the claimant; their partner and any dependants and any other occupants of the same household. Disability related benefits are intended to be used to help pay for the extra costs of

disability; and as such money might already be committed to other liability such a Motability schemes, provision of care etc.

- The income and expenditure of the claimant, their partner and any dependants or other occupants of the claimant's home.
- Any savings or capital that might be held by the claimant or their family.
- The level of indebtedness of the claimant and their family's circumstances.
- The amount available in the DHP budget at the time of the application.
- The possible impact on the Council of not making such an award, e.g. pressure on priority homeless accommodation.
- Any other special circumstances brought to the attention of the Benefits Department.

When awarding a DHP to assist the customer with securing a new tenancy, the authority will consider the following:

- The authority will include information about the legal obligations for landlords to protect any deposit paid in a Government approved tenancy deposit protection scheme. Compliance with this requirement will help reduce the need for future help with deposits.
- Establishing if the customer is due to have a deposit in respect of their exiting tenancy returned to them.
- Making payment to the landlord rather than the customer.

The Benefits Department will decide how much to award based on all of the customer's circumstances. This may be an amount below the difference between the liability and the payment of Housing Benefit or Universal Credit. An award of a DHP does not guarantee that a further award will be made at a later date, even if the claimant's circumstances have not changed.

Given the number of people who are or will be affected by current and forthcoming changes, awarding DHPs to meet all shortfalls is not going to be a viable option. Careful consideration will be required to determine how best to target the funding within priority groups, whilst ensuring that each case is considered on its own individual merits.

- Families with children at a critical point in their education.
- Young people leaving local authority care.
- Foster carers, including those between placements: foster children are not included in the Housing Benefit assessment but neither is the income from foster allowances; as the Government values the work done by foster carers. Whilst some carers may be able to make up the shortfall using some of their allowance, or by other means, some thought should be given to supporting foster carers who are deemed to be under-occupying their accommodation because they have rooms occupied by foster children, or being kept available for future placements. The Council should bear in mind that foster carers should not be financially penalised because of their foster caring role.
- People going through the approval process to become foster carers who may need to show that they have a spare room to be approved. If a DHP was awarded on this basis, it would be up to the claimant to inform the

Benefits Department of a change of circumstances if, for example, they were not subsequently approved.

- Families with kinship care arrangements. Children who go into the care of family and friends are often extremely vulnerable and will usually benefit from the stability of remaining in a familiar area and continuing to attend their local school.
- Families with a child temporarily in care but who is expected to return home. What constitutes temporary will be at the authority's discretion.
- Families with a social services intervention, for example highly dependent adults, children at risk or involvement in a family intervention project.
- People who have had to flee domestic violence or have moved because of the threat of violence in another area.
- Where someone in the household is expecting a baby (including those currently in shared accommodation or subject to an under-occupation reduction).
- Ex-homeless people being supported to settle in the community.
- People with health or medical problems who need access to local medical services or support that might not be available elsewhere.
- People with disabilities who need, or have had, significant adaptations made to their property, or where they are living in a property particularly suited to their needs.
- Where the claimant or someone in the household has a disability which requires them to have a larger property than would usually be the case for the size of their household due to, for example, a medical condition or where a child has a particular disability that might mean they are unable to share a bedroom.
- People with disabilities who receive informal care and support in their current neighbourhood from family and friends which would not be available in a new area. In this respect the authority may also consider families who have a child with a disability who rely heavily on local support networks.
- Households with disabled children who require an overnight carer.
- The elderly who have lived in the area for a long period of time and would find it difficult to establish support networks in a new area.
- People who need to live near their jobs because they work unsocial hours or split shifts; or where moving home may mean living in an area where public transport would be inadequate to enable them to sustain their current job.

8. CHANGES IN CIRCUMSTANCES

The Benefits Department will need to revise an award of a DHP where the claimant's circumstances have materially changed.

9. METHOD OF PAYMENT

The Benefits Department will decide the most appropriate person to pay based upon the circumstances of each case. This could include paying:

- The claimant.
- Their partner.
- An appointee.
- Their landlord (or an agent of the landlord).
- Any third party to whom it might be most appropriate to make payment.

The Benefits Department will pay an award of DHP by the most appropriate means available in each case.

- By electronic transfer (e.g. BACS).
- By crediting the claimant's rent account if renting from the Council.

Payment frequency will normally be made in line with how the customer's Housing Benefit is paid. Payments of Universal Credit are made monthly, and for ease of administration their DHP awards will be paid weekly.

10. NOTIFICATION

The Benefits Department will inform the claimant of the outcome of their application within 14 days of receipt of all of the information being received. Where the application is unsuccessful, the Benefits Department will set out the reasons why this decision was made and explain the right of review. Where the application is successful, the Benefits Department will advise:

- The weekly amount of DHP awarded.
- The period of the award.
- How, when to whom the award will be paid.
- The requirement to report a change in circumstances.

Where customers have been identified as struggling to manage their financial affairs, they will be referred (where agreed by the claimant) to relevant authorities working in partnership with North Warwickshire for budgeting advice and a bill paying service as well as providing access to other financial services, they can also assist claimants with the opening of a basic bank account. The claimant will also be signposted to independent advice e.g. Citizens Advice Bureau and a National Debt Helpline.

Where customers are experiencing a shortfall in their housing costs due to restrictions implemented as part of the welfare reform and associated with their accommodation, their details will be passed the authority's Housing Advice Department. They will be able to provide further advice and possibly be able to help the customer find a more suitable place to live or assist the customer in keeping their current home.

11. REFUSED DHP

Where a request for payments has been refused, it is not expected that repeat requests will be considered unless the customer can demonstrate that their situation has worsened significantly or a substantial period of time has elapsed.

12. THE RIGHT TO SEEK A REVIEW

DHPs are not payments of Housing Benefit or Universal Credit and therefore are not subject to the statutory appeals mechanism.

The Benefits Department will operate the following process for dealing with a decision about a refusal to award a DHP, a decision to award a reduced amount of DHP, a decision not to backdate a DHP or a decision that there has been an overpayment of a DHP.

- A claimant (or their appointee) who disagrees with a DHP decision may dispute the decision. A request must be delivered in writing to the Overpayments and appeals team within one calendar month of the written decision about the DHP being issued to the claimant.
- The Overpayments and appeals team will then review the decision and all of the evidence held and will make a decision as soon as feasible.
- Where the Overpayments and appeals team makes the decision not to revise the original decision, they will notify the claimant of their decision in writing, setting out the reasons for the decision.
- This decision is final and binding and may only be challenged via the judicial review process or by complaint to the Local Government Ombudsman if there is an allegation of maladministration.
- In exceptional circumstances the above time period may be extended.

10. OVERPAID DHPs

DHPs can be recovered if the authority decides that the payment has been made as a result of misrepresentation or failure to disclose a material fact, either fraudulently or otherwise. A DHP is also recoverable if it was paid as a result of an error made when the claim was determined.

The Benefits Department cannot recover DHPs from ongoing Housing Benefit or Universal Credit entitlement. Therefore, the only method of recovery if a DHP is overpaid is to request repayment of the debt from the customer by invoice.

11. PUBLICITY

The Benefits Department will continue to publicise the scheme and will work with all interested parties to achieve this. Staff are trained and knowledgeable and will advise those who are considered to be in financial difficulty of the availability of these payments.

12. FRAUD

The Benefits Department is committed to the fight against fraud in all its forms. A claimant who tried to fraudulently claim a DHP by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under the Theft Act 1968. Where the Benefits Department suspects that such a fraud may have occurred, the matter will be investigated as appropriate and this may lead to criminal proceedings being instigated.

13. MONEY SPENT AND MONITORING

The Government provides a contribution to the Local Authority each year and the Authority can add an additional 2.5 times the Government contribution to the fund. This is the permitted amount that can be spent on discretionary payments. Once the overall cash limit has been met, no further DHPs can be awarded, any funds paid out above this limit will have resulted in breaking the law.

The legislation which specifies the overall limit on expenditure is Article 7 of The Discretionary Housing Payment (Grants) Order 2001.

The Department of Work and Pensions (DWP) have announced that their contributions to the DHP fund will be increased to assist with the welfare reform changes. As a result of this increased funding DWP are required to monitor how DHPs are being used to support customers affected. North Warwickshire Borough Council will be required to provide a broad breakdown of their expenditure. Following a successful application for DHPs, the authority should record the main reason for the award, as detailed below:

- i. To support customer affected by benefit cap.
- ii. To support customer affected by social sector size criteria.
- iii. To support customer affected by LHA reforms.
- iv. Any other reason (covers original funding).

The Council will normally set the annual DHP budget in line with the allocated level of spend from the DWP which attracts subsidy. The Council will consider increasing this budget in the light of economic circumstances and evidence on demand.

Agenda Item No 11

Resources Board

25 March 2013

Report of the Assistant Chief Executive (Community Services)

Adoption of an Updated Prosecution and Sanctions Policy

1 Summary

- ...
- 1.1 The purpose of this report is to request Members adopt the updated Prosecution and Sanction policy attached at Appendix A. This is necessary because of changes introduced as part of the wider Welfare Reform agenda and to reflect up to date practices.
- 1.2 The purpose of the policy is to enable a consistent approach to be taken in the potential prosecution and/or recovery of monies from individuals who have fraudulently claimed Housing and/or the Localised Council Tax Reduction Scheme.

Recommendation to the Council

That Members adopt the Fraud Prosecution and Sanctions Policy as attached at Appendix A.

2 Consultation

- 2.1 None. This is based on the changes made to the policy being administrative in nature and only necessary to bring the policy in line with current legislation.

3 Fraud Prosecution Strategy

- 3.1 The Council already has in place an Anti Fraud and Corruption policy which it adopted in 2001 that indicates its corporate commitment to protecting the public purse.
- 3.2 For many years, the Council has taken a proactive stance to prevent, detect and deter Benefit fraud. This commitment has been very successful both in consistently overachieving Government targets and the Councils success in the winning of the IRRV National Award for "Excellence in Detection and Prevention of Fraud" award in 2010.
- 3.3 On detection of a fraudulent payment, the Council has a number of options available to it to consider in terms of the type of sanction it considers appropriate. This will have regard to the amount of any overpayment, and the reasons identified for the overpayment. These sanctions get progressively more serious with the ultimate sanction being prosecution through the

Magistrates Court for appropriate claimants. In recent times, many of these have been undertaken alongside our colleagues in the Department of Works and Pensions which has proven very successful and is an important part of our counter fraud activity. When the outcome of these cases are reported, they can have a significant deterrent effect on others and the Government is very committed to protecting the benefit gateway by ensuring these messages are communicated via its publicity campaigns and the broadcast of television programmes.

- 3.4 The Governments preferred approach was to set up a “Single Fraud Investigation Service” from April 2013 but this decision has recently been deferred until April 2015. This is in order to allow for the necessary arrangements and legislative powers to be put in place as well as make administrative decisions around the transfer of key Local Authority investigators.
- 3.5 Based on this decision, our responsibility for investigating both Housing Benefit and the Localised Council Reduction Scheme fraud continues and therefore it is necessary to update our current fraud policy to reflect recent welfare changes.
- 3.6 This is necessary because of the importance of being able to justify to the Courts and Government that the Council has an agreed set of guidelines in place that ensures that a consistent approach to pursuing any cases where fraud is proven.
- 3.7 The policy which is largely based on that adopted by this Board in 2002 outlines what factors will be taken into consideration in recommending appropriate action on cases where fraud is proven and whether it is in the public interest to undertake the prosecution. The policy has been drafted having regard to best practice guidance recently issued by the Department for Work and Pensions.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 The Council has a responsibility to employ resources to investigate where it considers fraud is being committed whether in respect of Housing Benefit or the Council Tax Reduction scheme.
- 4.1.2 Administration grant is provided to the Council to contribute towards the cost of employing resources to undertake this work and the Council currently employ one full time fraud investigator to undertake this role.
- 4.1.3 Whilst she has been very successful in identifying over a £1million worth of Housing and Council Tax benefit fraud since 2005, it is difficult to estimate how much money has been actually been saved by the public purse. This is because this proactive action will have deterred benefit fraud entering the system saving both the Government and the Councils contribution towards benefits paid out.

4.1.4 The Council has also an excellent track record in recovering overpayments and sanctions imposed as a result of identifying fraud and these have had a positive impact in reducing the Council's costs of running the benefits service. In recent times, it has also been successful in using the Proceeds of Crime Act (POCA) to seek recovery of monies due. This involves raising money by selling assets of the person against whom fraud has been proven.

4.2 Legal and Human Rights Implications

4.2.1 Adopting a policy should ensure that prosecutions undertaken are based on a transparent and clearly laid down criteria to ensure a consistent approach is taken in all cases.

4.3 Risk Management Implications

4.3.1 By adopting this policy should ensure the risk of legal challenge to the Councils actions is mitigated.

4.4 Equalities Implications

4.4.1 This policy should ensure we continue to undertake actions fairly and consistently. The implementation of the revised policy will be monitored to help assess if any adverse impacts arise.

4.5 Safer Communities Implications

4.5.1 The Council has taken a proactive stance to prevent, detect and deter Benefit fraud. This is a positive contribution towards Safer Communities by addressing cases of fraud whenever they are identified.

The Contact Officer for this report is Bob Trahern (719378).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
Section 115A and 115B of the Welfare Reform Act 2012	DWP	Legislation	2012
The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 (SI 2013/501)	DWP	Legislation	2013

NORTH WARWICKSHIRE BOROUGH COUNCIL

PROSECUTION AND SANCTIONS POLICY (POLICY UPDATED : 25 MARCH 2013)

1 BACKGROUND

- 1.1 Under Section 151 of the Local Government Act 1972 local authorities have a statutory duty to make arrangements for the proper administration of their financial affairs. This includes a responsibility for protecting Housing Benefit and Localised Council Tax Support funds.
- 1.2 The Council recognises that some people will attempt to obtain benefits or support to which they are not entitled. Where intention and planning is involved this is fraudulent and, where appropriate, the Council will prosecute under the Social Security Administration Act 1992 or the Theft Act 1968. It must be borne in mind, however, that the vast majority of the people who claim benefit are genuine and only a minority seek to take advantage by providing false information or deliberately failing to report changes in circumstances.
- 1.3 This policy forms part of the Council's overarching Anti-Fraud and Corruption Policy.

2 TYPES OF SANCTION

- 2.1 Where fraud is proven, the Council has the following options
 - to issue a Local Authority Caution
 - to offer an Administrative Penalty in lieu of prosecution
 - Criminal prosecution
- 2.2 A Local Authority Caution is a formal caution offered as an alternative to prosecution. The caution is offered at a formal interview and if it is not accepted then a prosecution will be undertaken if it is considered to be in the public interest to do so. It can only be offered when a person has admitted the offence.
- 2.3 An Administrative Penalty is a penalty offered as an alternative to prosecution. Introduced by Section 115a of the Social Security Administration Act 1992 (as amended by Section 115A & 115B of the Welfare Reform Act 2012) The minimum penalty of £350 or 50% of the overpayment, whichever is the greater (up to a maximum of £2,000) would be applied and recouped in addition to the amount of benefit fraudulently obtained. The administrative penalty is offered at a formal interview and if it is not accepted then a prosecution will be undertaken if it is in the public interest to do so.
- 2.4 The Council may refer cases for prosecution to its own Solicitor or to the Crown Prosecution Service under a Memorandum of Understanding.

3. Decision Making

- 3.1 In those cases where it is considered that benefit or support has been obtained fraudulently or an offence against the Council has been committed, the Revenues and Benefits Manager and/or the Council's Solicitor will decide if prosecution or an alternative sanction will be imposed. In making the decision the following criteria will be considered. Where a third party opinion is needed, this will be provided by the Assistant Chief Executive (Community Services).

4 Sufficiency of Evidence

- 4.1 When considering prosecution the first question to be determined is whether the evidence is sufficient. The Director of Public Prosecutions does not support the proposition that a bare prima facie case is enough, but rather applies the test of whether there is a reasonable prospect of a conviction. In reaching this decision the factors to be considered include:

- availability and credibility of witnesses;
- the admissibility of any admissions having due regard to the age and intelligence of the defendant;
- proof of premeditation;
- the reliability of any identification.

5 Public Interest

- 5.1 If the evidence can justify proceedings the prosecutor must then consider whether it is in the interests of the public to prosecute. The factors which can lead to a decision not to prosecute will vary from case to case and each will be considered on its individual merits. The most common factors to be considered include:

- *Value.* The amount of money obtained and the duration of the offence;
- *Youth.* The stigma of a conviction can cause irreparable harm to the future prospects of a young person;
- *Social factors.* These include age, disability, family circumstances, literacy problems and learning difficulties which may affect the offender or a close family member;
- *Mental illness or stress.* If the accused is mentally disturbed criminal proceedings may worsen the condition. Similarly, the mental state of the accused may be affected if a close relative is terminally ill;
- *Voluntary disclosure;*
- *Intent.* The mistake may have been committed as a result of a genuine mistake or misunderstanding;
- *History.* Any previous history of fraud or any grounds to believe that the offence would continue or be repeated.

- *Nature and seriousness of the offence.*

6 Proceeds of Crime Act (POCA)

Whenever possible, the Authority will refer any suitable cases for financial investigation with a view to applying to the courts for a confiscation/restraint order of identified assets.

This enables the Authority to seek to recover its losses from assets found to be proceeds of crime.

8 Loss of Benefits

- 8.1 Important changes introduced by the passing of the Welfare Reform Act 2012 involve offences wholly committed after 1 April 2013, which result in a conviction, administrative penalty or caution. This now may also be subject to a loss of benefit sanction. This means a person may lose the right to continue receiving full benefit payments for a period of between 4 weeks to 3 years, determined by the level of the offence committed.
- 8.2 If this is the case, this will be notified to the customer by the Department of Work and Pensions and local arrangements will be put in place to collect any new monies due where benefit will not be paid.

9. Joint Working Cases

- 9.1 For investigations that involve joint working with the Department for Work and Pensions and/or other Official Bodies, it will be necessary to consider the entire offence. When making the decision to prosecute or apply a lesser sanction, the factors involved in the offences against both bodies should be considered. Wherever possible a consistent sanction approach should be taken although it is recognised that this may not be appropriate for all cases, and each case will be looked at on its own merits.

10 Council Tax Reduction Scheme

- 10.1 This scheme replaces council tax benefit from 1 April 2013 and the authority has a similar duty to protect this scheme from attempted fraud and to deter those considering making a false claim.
- 10.2 The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) Regulations 2013 brings in similar sanctions to those available for dealing with housing benefit fraud as follows:-
- In cases where after investigation it is determined there is no fraudulent intent, a penalty of £70 may be applied without redress to the court to a person who negligently makes an incorrect statement or representation or gives incorrect information or evidence in respect of a claim under this scheme.
 - Penalties who fail to declare a change in circumstances within 21 days of it happening can also result in a £70 penalty being applied again without redress to the court and added to the Council Tax liability due.
 - In more serious cases of false representation the authority will consider an administrative penalty of 50% of the overpayment subject to a minimum of £100 and a maximum of £1,000 as an alternative to prosecution.

- Prosecution will remain the ultimate sanction

11 Publicity

- 11.1 In order to act as a deterrent against fraud and corruption the Council will, at its own discretion, advertise cases where offenders have been prosecuted for fraudulently obtaining benefit from the Council.

Agenda Item No 12

Resources Board

25 March 2013

Report of the Assistant Chief Executive (Community Services)

Adoption of a Council Tax Discretionary Discount Policy

1 Summary

- ...
- 1.1 The purpose of this report is to request Members adopt the Council Tax Discretionary Discount policy attached at Appendix A. This is necessary because of a recent National Local Ombudsman decision in which its recommendations stated that all Councils should have a stated policy around adopting local Council Tax discounts.

Recommendation to the Council

That Members adopt the Council Tax Discretionary Discount Policy as attached at Appendix A.

2 Consultation

- 2.1 Lead Members have been briefed about the scheme and financial implications of adopting any local discounts and exemptions. They are supportive of the approach outlined in the attached policy.

3 Background

- 3.1 Under Section 13A (1)(c) of the Local Government Finance Act 1992 (as inserted by Section 76 of the Local Government Act 2003), the Council was given discretionary power to reduce liability for Council Tax by creating their own discounts or exemptions including powers to grant relief on a case by case basis where national discounts and exemptions cannot be applied or exist.
- 3.2 Due to the financial implications in awarding any discounts (other than those currently available under the statutory legislation) whereby the financial burden of Section 13A discounts is met wholly by the Billing Authority (i.e. the Council) and is not shared by the preceptors, the Council has never considered using these powers which have been used sparingly nationally to date.
- 3.3 In the few cases they have been used by Councils, examples include giving a discount to special constables and providing a discount to flooded properties where furniture was left in them meaning that National discounts could not be

applied. In all cases, these have been given by Unitary Councils who retain the majority of Council Tax collected as opposed to the situation of District Council like North Warwickshire which only retain approximately 15% of the Council Tax it collects.

- 3.4 Based on a recent Local Government Ombudsman recommendation which involved a challenge of a Councils decision making process in relation to using this discretionary scheme, it was advised that all Councils should have a Member endorsed policy to explain its approach to considering any applications for relief under these provisions.
- 3.5 As such, officers have drafted a policy based on current practice that confirms that the Council will only consider using its discretionary powers to reduce Council Tax liability for an individual Council Taxpayer or class of Council Taxpayer in exceptional circumstances and will treat all applications on their individual case by case basis.

4 Report Implications

4.1 Finance and Value for Money Implications

- 4.1.1 The financial implications of awarding a discount or exemption under this scheme are that the cost has to be met in full by the Billing Authority and not shared in proportion to precepts levied as outlined in paragraph 3.2.

4.2 Legal and Human Rights Implications

- 4.2.1 Adopting a policy should ensure that the Council's position with regard to this discretionary policy is transparent. The clearly laid down criteria will ensure a consistent approach is taken in all cases in the event of an application or an appeal.

4.3 Risk Management Implications

- 4.3.1 By adopting this policy should ensure the risk of legal challenge to the Council's actions is mitigated.

4.4 Equalities Implications

- 4.4.1 This policy should ensure we continue to undertake actions fairly and consistently. The implementation of the policy will be monitored to help assess any adverse impacts that may arise.

The Contact Officer for this report is Bob Trahern (719378).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
Section 13A (1)(c) of the Local Government Finance Act 1992 (as inserted by Section 76 of the Local Government Act 2003	DCLG	Legislation	2003

NORTH WARWICKSHIRE BOROUGH COUNCIL

COUNCIL TAX DISCRETIONARY DISCOUNT POLICY

1 Background

- 1.1 Under Section 13A(1)(c) of the Local Government Finance Act 1992 (as inserted by Section 76 of the Local Government Act 2003), the Council has the discretionary power to reduce liability for Council Tax in relation to individual cases or class(es) of cases that it may determine and where national discounts and exemptions cannot be applied.
- 1.2 There are financial implications to awarding any discounts other than those currently available under the statutory legislation and the financial burden of Section 13A discounts is met wholly by the Billing Authority (i.e. the Council) and is not shared by the preceptors.
- 1.3 As a consequence of these financial implications meaning the Council only retains approximately 15% of the Council Tax collected, it is highly unlikely that this provision will be used without prior agreement from local preceptors to contribute towards a discount or exemption to any group of individuals or class of property.
- 1.4 In the summary, it has been agreed that the Council will only consider using its discretionary powers to reduce Council Tax liability for an individual Council Taxpayer or class of Council Taxpayer in exceptional circumstances and will treat all applications on their individual merits.

2 Policy Objectives

- 2.1 Some or all of the following criteria must be met for a case to be considered for this relief:
 - There must be evidence of financial hardship or how an individual has been adversely affected to justify a reduction in Council Tax liability.
 - The Council Taxpayer must satisfy the Council that they have taken all reasonable steps to mitigate their hardship such as
 - applying for Council Tax Support
 - applying for all other eligible discounts/reliefs or allowances
 - taken all reasonable steps to avoid a request being made (i.e.) must not have been personally negligent in contributing to their request
 - The Council Taxpayer must not have access to other assets that could reasonably be used to pay Council Tax liability if based on hardship
 - The Council's financial position allow for a reduction to be approved
- 2.2 Any genuine ability to pay where it is proven not to be as a result of wilful refusal or culpable neglect will be considered separately under the Councils write off policy where all remedies to recover monies have been exhausted or are inappropriate to use in the individual case.

3 Application Process

3.1 Applications must be

- Made in writing by the council taxpayer or by someone authorised to act on their behalf and;
- Supported by any reasonable evidence which the council requires in support of the application.

3.2 Separate claims must be made in respect of different dwellings and/or council tax accounts.

4 Decision Making

4.1 The Revenues and Benefits Manger will make the initial determination of any application and gain approval of the Assistant Chief Executive (Community Services) of the decision before informing the Council Taxpayer.

4.2 Any award granted will cease at the end of the relevant financial year and a re-application will be required for consideration of an ongoing discount.

5 Notification of Decision

5.1 The Council will notify a Council Tax Payer of its decision in writing within 14 days or as soon as reasonably practicable.

6 Review of decision

6.1 The decision of the Council like refusal to grant a statutory discount or exemption if by way of an appeal under Section 16, Local Government Finance Act 1992

6.2 This entitles the applicant to a request a review of its decision. This evidence will be reconsidered by the original decision makers as outlined in paragraph 4.1 and reviewed by the Deputy Chief Executive, the Councils Section 151 Officer.

6.3 The decision will be notified in writing and if still aggrieved, the Council Taxpayer has 2 months to appeal the matter direct to the Valuation Tribunal.

7 Fraudulent Claims

7.1 If a reduction has been made as result of a fraudulent claim, the Council reserves the right to withdraw the award and may prosecute any applicant who makes a false statement or provides fraudulent evidence in support of an application.

Policy agreed: 25 March 2013

Agenda Item No 13

Resources Board

25 March 2013

Report of the Assistant Chief Executive (Community Services)

Corporate Debt Strategy

1 Summary

- 1.1 The report updates the previous Corporate Debt Strategy adopted by this Board in July 2007 that outlined how the Council will approach customers who owe multiple debts to the Council.
- 1.2 It explains what principles of recovery and approach are currently in place in the Council to assist in such circumstances and reflects the changes necessary to reflect how the Council will deal with people affected by the significant impact of the Welfare Reform agenda.

Recommendation to the Board

That Members adopt the revised Corporate Debt Framework as attached at Appendix A with immediate effect.

2 Consultation

- 2.1 Consultation has also been undertaken with officers and partners from the Citizens Advice Bureau and other members of the Financial Inclusion Partnership to agree the changes proposed to update the framework.

3 Introduction

- 3.1 The issue of debt nationally is a growing problem and based on work undertaken locally as part of our wider Financial Inclusion Agenda, this is a trend being replicated locally.
- 3.2 This framework focuses primarily on Revenues, Benefits and Housing activities and also reflects the improved referral channels and opportunities for closer working with external agencies and organisations. As such, it forms a key building block in our corporate wide anti poverty approach.
- 3.3 Since it was adopted in 2007, it has acted as a catalyst for the Council to develop and formalise separate action plans to deal with take up of benefits, fuel poverty, vulnerable people and customer access, which taken together provide the co-ordinated approach of the Council to deal with specific areas that contribute to alleviating poverty. These are covered in more detail elsewhere on the agenda and have contributed to the Council being Nationally

recognised for its successful work in this difficult area by a number of awards and funding it has received from the Government and Independent professional bodies.

4 **Corporate Debt Framework**

... 4.1 The framework document attached at Appendix A has been updated to take into account both current practice in the Council and the new challenges being faced by the Council in recovering ever higher levels of income. These can be summarised as;

- The impact of Welfare Reform changes which are wide ranging and will result in many people reliant on benefits being worse off
- The impact of fuel and food prices outstripping inflation
- The impact of changes implemented in recent years on the Councils charging policy on second homes and more specifically on Long Term Empty properties
- The Governments decision to offer a 12 month instalment scheme for Council Tax payments as a right on application
- The need to accept that we may be dealing with more cases where there is a genuine inability to pay charges due as opposed to a reluctance to pay charges due (Can't Pays as opposed to Won't Pays).

4.2 The ethos of the Council is to operate arrangements that will provide effective financial support to those groups that may be disadvantaged or vulnerable. Also, the Council is committed to offering realistic and flexible debt recovery arrangements that are "firm but fair" with the aim of minimising the burden of debt. The pursuit of these principles reflects the Council's appreciation that, whilst there is no statutory duty for the Council to undertake work on Anti Poverty, it does contribute to meeting wider corporate priorities and the Central Government agenda of "promoting the economic, social and environmental well being of communities".

4.3 In summary, the framework

- Provides an effective, consistent and fair debt recovery, whilst minimising the risk of hardship to individuals
- Improves awareness, accessibility and take up of Housing and Council Tax Support
- Promotes partnership and integration with other agencies
- Encourages ownership and self management of debt

- Evaluates opportunities to amend procedures, processes and policies to minimise hardship for individuals and prevent debt occurring in the first place.

5 Report Implications

5.1 Finance and VFM Implications

5.1.1 The adoption of this framework in 2007 did not result in a fall in collection performance levels and initially performance levels that were already very high improved. However, the current and future challenging environment has meant collection performance of Council Tax, Housing Benefit Overpayments and Housing Rent has fallen marginally in recent years and this is likely to continue.

5.1.2 This will have an impact on interest earned on current levels of cashflow, the number and level of uncollectable debts and could see a fall in income generated from court costs where these are cancelled to assist in the repayment of monies due. This position is monitored by officers and will continue to be reported to Members on a regular basis as at present.

5.1.3 Funding required to continue ongoing work with the CAB and Credit Union and for wider promotion of debt related activities will continue during 2013/14 but will be reviewed by Members as part of the evaluation of the Local Council Tax Support scheme and Welfare Reform changes in the summer.

5.2 Safer Communities Implications

5.2.1 Maximising people's income and providing support for people in debt should have a positive effect on the incidence of crime, whether committing fraud or seeking to supplement income from other means.

5.3 Legal and Human Rights Implications

5.3.1 The framework will ensure everyone is dealt with in a fair and consistent way.

5.4 Environment and Sustainability Implications

5.4.1 Greater access to information and accessible payment points via the internet, telephone and via a number of B.O.B. Hubs in the Borough should reduce the need to travel and help to promote the economic, social and environmental well being of communities.

5.5 Human Resources Implications

5.5.1 The co-location of Housing and Revenues staff has significantly helped the joined up approach to collecting debts due to the Council as has the well

developed and embedded partnership arrangements brought about by the ongoing work of the Financial Inclusion Manager in recent years.

- 5.5.2 The impact of the various changes currently being implemented will be reviewed by officers on an ongoing basis as well as the local Financial Inclusion Partnership which meets quarterly, which includes the Chair of this Board in its membership.
- 5.5.3 Should any changes be considered necessary to current staffing levels or roles, this will be reported to Members as part of a planned review in 2013 to be undertaken by the Assistant Chief Executive (Community Services) and Assistant Director (Housing).

5.6 Equality Implications

- 5.6.1 The framework will provide equality of access to all and ensure we continue to promote with equality related objectives with help and assistance to customers being enhanced during a time of reducing incomes.

The Contact Officer for this report is Bob Trahern (719378).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

CORPORATE DEBT FRAMEWORK
NORTH WARWICKSHIRE BOROUGH
COUNCIL

Drafted and Adopted : July 2007
Revised: November 2012

A CORPORATE DEBT FRAMEWORK

Policy Vision

The vision of corporate debt management for the Council is:

“To minimise the amount of non-collectable debt through the efficient collection of income within a framework of customer care and client sensitivity.”

The policy encompasses the following objectives:

To balance the effective recovery of monies owed to the Council by adopting a holistic approach to the recovery of debts owed. The framework recognises the importance of the role played by independent external agencies such as the Citizens Advice Bureau and the Credit Union in helping people in debt to maximise their income and manage their financial affairs.

Policy Aims

The key aims of this policy are to:

- Ensure a professional, consistent and timely approach to recovery action for all the different types of debt owed to the Council
- Fully consider the customer’s circumstances and ability to pay and so distinguish between those who won’t pay and those who genuinely can’t pay
- Cost effectively pursue all debts ensuring that those with the means to pay do so
- Promote a coordinated approach towards sharing debtor information and managing multiple debts owed to the Council effectively.
- To administer an efficient debt collection process that is organised such that responsibilities are clearly defined and processes are well understood and documented
- To ensure that all amounts due are collected according to the agreed payment criteria and that the most efficient methods of payment are used
- To identify high risk customers, especially those likely to get into financial difficulties and to take appropriate action to safeguard further revenue income and establish satisfactory payment arrangements
- To operate within an overall framework where core working practices are consistently applied

- Treat individuals consistently and fairly regardless of age, gender, disability or sexual orientation and that an individual's rights under Data Protection and Human Rights legislation are protected.
- Notwithstanding the above, take into account each individual's circumstances particularly if they are vulnerable, when deciding on the next course of action

This document is not about detailed procedure notes and process maps as used by internal staff but outlines principles and protocols, which the Council will endeavour to deliver.

Responsibilities

The Deputy Chief Executive has a statutory responsibility for the efficient administration of the Council's financial affairs and to protect the Council's financial position. Consequently all officers must comply with this policy. The Policy Principles set out below represent the standards and procedures that shall apply to all income collection systems throughout the Council. Any deviation from these principles will require the approval of the Assistant Chief Executive (Community Services), Assistant Director (Finance and Human Resources) or the Assistant Director (Housing).

They will monitor the arrangements on behalf of the Deputy Chief Executive, the Councils Section 151 Officer by analysing the overall debt position of the Council and keep under review the arrangements for the effective and efficient collection of debt.

Legal Framework for Recovery

Council Tax:	Local Government Finance Act 1992 The Council Tax (Administration and Enforcement) Regulations 1992 (as amended)
Housing Rents:	Housing Acts Landlord and Tenant Acts
Housing Benefit: Overpayment	Social Security Administration Act 1992 (Housing Benefits) Local Authority Financial Regulations The Housing Benefit and Council Tax Benefit (Decisions and Appeals and Discretionary Financial Assistance) (Consequential Amendments and Revocations) Regulations 2001. Section 123 of the Social Security Administration Act 1992. Section 134 of the Social Security Administration Act 1992 (Housing Benefit) Section 139 of the Social Security Administration Act 1992 (Council Tax Benefit) Sections 130, 131 of the Social Security Contributions and Benefits Act 1992

The Housing Benefit (General) Regulations 1987 – and subsequent varying regulations

The Council Tax Benefit (General) Regulations 1992 – and subsequent varying regulations

Housing Benefit (Recovery of Overpayments) Regulations 1997

NNDR: Local Government Finance Act 1988
The Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989

Sundry Income: Local Government Act 1972
Accounts and Audit Regulations 1996

Introduction

The Council has a duty to recover outstanding debts but wants to ensure that its policies and procedures are fair to everyone. With this in mind, the Council has, in line with best practice, developed a corporate framework for debt recovery that provides a more consistent approach across the Council.

With the changing situation of more people having to pay council tax and more customers finding themselves in a multiple debt situation either to the Council only or other creditors as well, we need to look at how we could better support customers in terms of delivering and/or facilitating real “hands on” support.

This framework relates to the following types of debt:

Council Tax – the charge payable on all domestic properties

Business Rates – the charge payable on all commercial properties

Housing Rents and Former Tenants Arrears – the charges levied on Council owned properties

Overpayment of Housing Benefit – this occurs when benefit is paid and the claimant is not entitled to some or all of the Housing Benefit that has been given

Sundry Debts – the fees and charges made for a wide and varying range of Council services.

These debts are collected to help pay for local services and it is important that we maximise collection in order that we can continue to improve the services for the benefit of all the people that live in, work and visit the borough.

This framework will help us to achieve the objectives of commitments in the Council’s Community and Corporate Plan aligned to wider Local Area Agreement commitments to improve the way we work by improving the quality of, and access to services and to maximising resources.

This document is supported by more detailed policies and procedural guidance for staff, which are regularly reviewed and monitored to ensure their consistent and timely application.

The principles of good practice

It is recognised that people do not pay their debts for a variety of reasons. Some people will have difficulty in paying, if so we will make every effort to help such people and to minimise the impact of debt on them. Others may deliberately set out to delay or not make payments and all methods of enforcement will be used to secure payment in these cases.

The following good practice principles already largely exist but are now being incorporated into this document to highlight the Council's commitment to recovery of debts:

- Accurate and prompt billing
- A range of payment options
- Agreement of affordable repayment arrangements for those customers experiencing financial difficulties
- Advice on ways to reduce bills and maximise income such as applying for a Discretionary Housing Payment
- Access to advice and information at every stage of the collection and recovery process
- Communication between the different parts of the Council that collect and recover debts
- Appropriate recovery action is taken
- Review of irrecoverable debts
- Good customer care
- Efficiency and cost effectiveness
- Partnership arrangements
- Monitoring

Accurate and prompt billing

We know that for our policy to be effective it is vital that we ensure that:

- accurate and clear bills are produced promptly
- a quick response to changes in circumstances and applications for exemptions, discounts and reliefs

- fast and accurate delivery of benefit entitlements

The information provided on the bill will be clearly written, without the use of jargon except where statutory wording is prescribed and will show:

- what the bill or liability is for
- the amount due and, where appropriate, the instalment amounts and payment due dates
- how to make a payment
- a contact point for enquiries - including our e-mail and website details

In the case of Housing Benefit Overpayments we will also provide:

- the amount of deduction from future benefit – if the overpayment is to be recovered this way
- the person's right to request a written statement and the timescale for this
- the person's right to appeal and the timescale for this

A range of payment options

It is acknowledged that the easier it is to pay, the more likely it is that payment will be made. We will provide a choice of convenient methods of payment for bills and invoices and details of these options will be advised on each bill.

The range of payment options, dependent on debt type, currently includes direct debit on a variety of dates (including weekly), cash at post offices, banks, PayZone outlets, cheque, or debit and credit card (which can be made 24 hours a day, 7 days a week using the automated telephone line or internet facility. For some services, a charge is made for use of a credit card). We will provide information on outlets where payments can be made via our website and literature and bar coded stationery to enable immediate payment. Wherever possible Housing Benefit Overpayments will be recovered from ongoing benefit.

In all cases we will actively encourage people to contact us early if they are having difficulty paying.

Affordable repayment arrangements

We recognise that people do not pay their debts for a variety of reasons. Some customers will have difficulty in paying and we recognise the need to agree payment arrangements that reflect the ability to pay as well as the level of debt owed. By enabling people who fall into arrears to come to payment arrangements appropriate to their circumstances, we can help to reduce the risk of further action and unnecessary

additional costs becoming payable. For example, this will result in customers being offered 12 monthly instalments to pay as opposed to 10 instalments to pay Council Tax in a financial year at no penalty as a matter of course where they either contact us to request this or we identify this would help.

Some customers may deliberately set out to delay or not make payments and where we identify deliberate non-payers, we will ensure that all methods of enforcement are used to secure payment.

The need for our customers to get in touch with us when they are experiencing difficulties is paramount. Where a customer does make contact we will consider their circumstances with a view to agreeing a reasonable payment arrangement, if possible. We will seek to avoid taking action that will increase the level of the debt to the customer.

We may require customers to complete an income and expenditure form and to provide documentary evidence to help us to assess their circumstances and confirm particular details before we can agree an arrangement where additional time to pay beyond the statutory time period allowed is made.

Where customers fail to make contact or maintain arrangements, recovery action will continue.

We will work towards making computer systems and information about outstanding debts available to all recovery sections, in order that we can adopt a co-ordinated approach to payment arrangements, particularly for multiple debts. This includes the use of the Money Advice Service's Common Financial Statement.

We will, where possible, provide a Community Hub service for customers who are unable to visit the offices and who need support to agree payment arrangements etc by utilising the technology provided.

Advice on ways to reduce bills and maximise income

We welcome the involvement of welfare agencies in connection with recovery of debts and recognise the benefits that these organisations can offer both the customer and the Council in prioritising debts and maximising income. We will work with such agencies whenever possible.

We will train our staff involved in the recovery of debts on anti-poverty and financial inclusion awareness. This will enable us to:

- inform customers of their entitlement to Housing Benefit and council tax discounts, reliefs and exemptions
- inform customers of the general availability of other income related benefits such

as Job Seeker's Allowance, Child Tax Credits, Working Tax Credits and Pension Credits

- direct customers for help and advice on all benefit entitlements
- direct customers who need help and advice on money management matters to Citizen's Advice Bureau
- inform customers who are at a serious stage of recovery to seek independent help and advice from Citizen's Advice Bureau

We will provide a home visiting service for customers who are housebound to assist them in completing Housing Benefit forms.

Access to advice and information at every stage of the collection and recovery process

We recognise the importance of keeping our customers informed about the recovery process, the consequences of not making payments and where they should go for help and advice.

We will:

- invite and encourage customers to make contact with us as soon as they begin experiencing difficulties paying their accounts
- ensure that advice and information given to customers by members of staff is consistent and that customers are treated fairly and equally
- keep customers informed of the action being taken at each stage of the recovery process and of the sanctions that will apply if non-payment continues
- provide documents in large print and in other formats for example audio tape, computer disk, Braille
- assist customers with language and sensory communication difficulty by offering a translation service where appropriate
- ensure that all documents use plain English
- provide clear information on payment methods on all documentation
- advise customers where to get help and advice about benefit and money matters via letters and links to our website
- ensure that members of staff providing advice at the Magistrates' Court have access to account information
- maximise personal phone contact with customers by experienced Recovery Officers during and outside normal office hours
- provide facilities to enable customers to discuss their debts in a confidential manner

In addition to the information shown on bills and invoices, we will also provide the

following information via the Council's website:

- a system to enable customers to receive council tax and business rate bills electronically and make balance enquiries
- on-line forms (for example benefit change of circumstances, direct debit instructions, discount forms etc) and links to benefit information
- general information about debt recovery, housing benefit, council tax, business rates and sundry debts

We will also seek information from our customers at an early stage to help us to use the best form of recovery. For example, when a council tax customer contacts us to inform us of a change of address, we will ask them for their telephone number, e-mail address etc so that we can contact them if there is a problem with their account. Due to the limited number of staff we have, we cannot guarantee that this will be the norm but we will endeavour to be pro-active whenever possible.

Communication between recovery teams

We will work towards making computer systems and information about outstanding debts available to all recovery sections in order that we can adopt a co-ordinated approach to the billing, collection and enforcement of debts.

All Council recovery teams are signed up to agreeing to ensure consistency in working practices and to improve communication between the sections. Where a multi debt situation is discovered, they will liaise with each other before taking legal action that could result in the loss of property or their liberty, and a case conference will take place to determine the most appropriate recovery action and formulate a mutually acceptable repayment plan with the customer wherever possible.

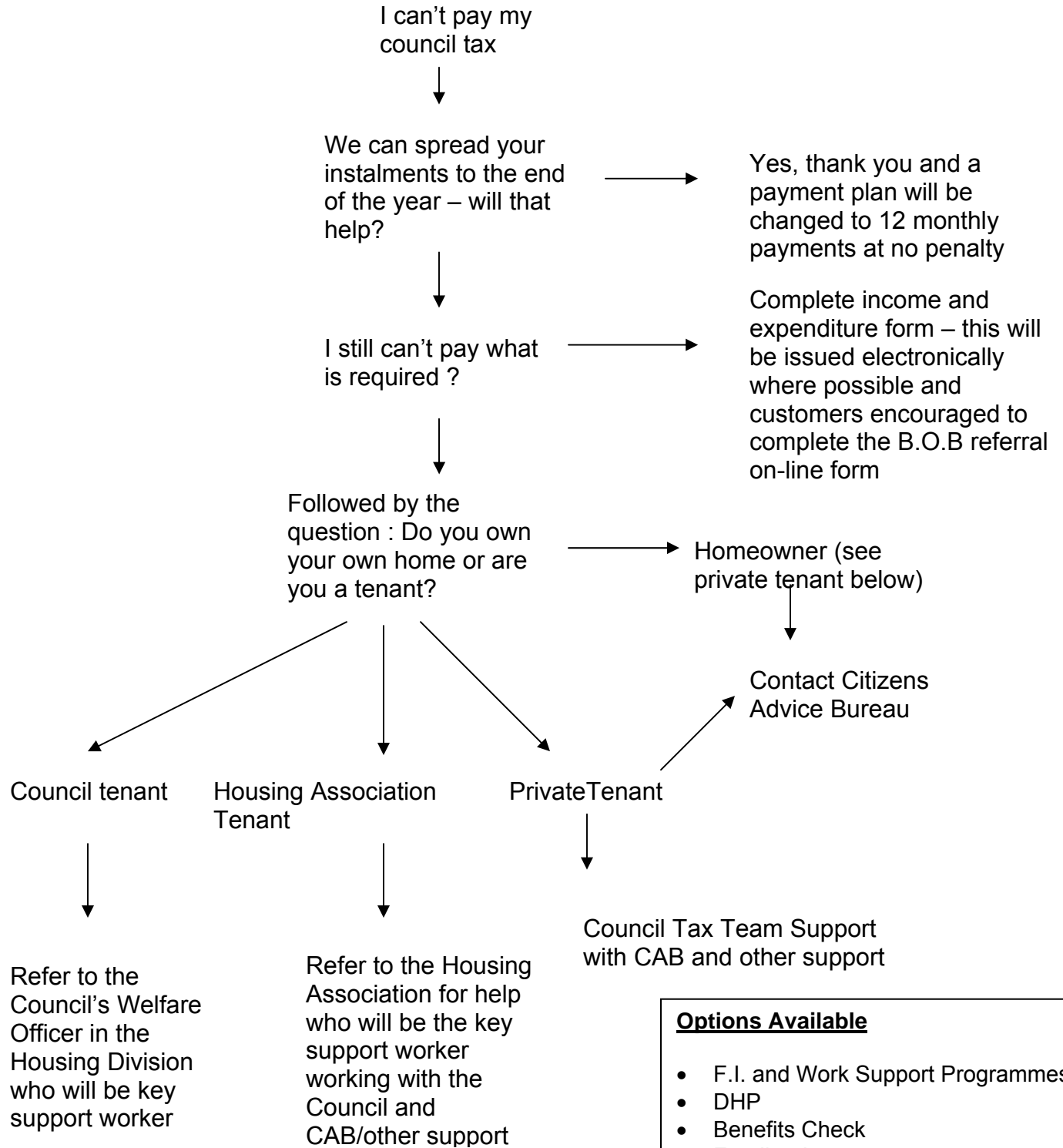
Appropriate recovery action is taken

We will follow the principles of enforcement outlined below:

- our action will be **proportional** – we will strike a balance between the potential loss of income to the Council and the costs of taking a course of action
- our approach will be **consistent** – with the aim of achieving consistency in the advice we give, the use of our powers and in the recovery procedures we use
- our actions will be **transparent** – to help customers to understand what is expected of them and to explain the reasons for taking any recovery/enforcement action.

We will always seek to make realistic arrangements for customers to clear outstanding debts by regular payments wherever possible.

For example - Recovery of Council Tax



- Options Available**
- F.I. and Work Support Programmes
 - DHP
 - Benefits Check
 - Foodbank
 - Remission of some or all of debt

Provided an offer of payment is reasonable and fairly reflects the individual's income and expenditure, the mutually agreed arrangement will be accepted and further enforcement action will be suspended. This procedure is in the spirit of a "firm but fair" approach to debt recovery and helps distinguish the genuine "can't pay" customers who the Council is keen to help from the "won't pay". The success of this framework is dependent upon the commitment of those who "can't pay" maintaining contact with the Council and advising of any unexpected situations that will prevent them from meeting their agreed repayments.

Any reminders we issue will convey a willingness to discuss matters with customers and encourage them to make contact if they cannot pay as advised. They will also make the customer aware of the consequences of failing to pay or keep to arrangements.

If a customer fails to make contact or maintain arrangements, we have a duty to collect what is due and will use all legal means available to recover debts. This includes:

- . attachment of earnings
- . deduction from benefits
- . bailiffs action
- . possession proceedings
- . county court proceedings
- . charging orders
- . bankruptcy / liquidation
- . committal to prison proceedings

The Council is measured on its performance in collecting in-year raised invoices by the 31 March in any given financial year. However, in cases of genuine financial hardship, this may be unrealistic and therefore the Council will negotiate repayment levels that take into account individual financial circumstances and accept that for appropriate cases payment arrangements may fall into the next financial year. This will involve completion of a means enquiry and require the debtor to agree to be referred for money management advice and assistance where considered appropriate. Use of a common income and expenditure form with standard thresholds, such as those used by the Common Financial Statement for money spent on housekeeping, utility bills etc, according to family size, will be used by internal Council Departments and the CAB.

Where there is insufficient income available to clear all debts, rent will be the Council's priority debt in order to reduce the number of potential evictions with the balance being used to pay other debts in a priority to be determined, based on a case by case basis, having regard to the impact on the customer.

Where contact or payments are not made for sundry debts we will terminate any non-statutory services.

The Council is empowered to recover any overpayments of benefits that have been paid. However, where the overpayment is the result of an error or omission by the Council, recovery will only be made where in the opinion of the Council the claimant could reasonably have been aware that an overpayment had occurred.

The weekly rate of recovery of benefit overpayments that is applied in situations of deduction from ongoing benefit claimant entitlement is determined by reference to the guidance rates as set by the Department for Work and Pensions covering both normal overpayment scenarios and also the higher rate covering fraud overpayment situations. However, claimants can request a reduction in the recovery rate levied (in non fraud overpayment cases) on the grounds of hardship. The claimant is required to complete an income and expenditure document and a designated officer will review the case with a view to setting a reasonable lower rate.

Review of irrecoverable debts

Despite our procedures for recovering debts, there are always cases that may be deemed impossible or not cost effective to pursue. There are a variety of reasons why this might happen, these include:

- the amount outstanding is below an agreed lower limit
- the customer has left an address and we are unable to trace them
- the customer has died and there are not sufficient funds from their estate to pay the amount owed
- the customer is bankrupt or if the company is insolvent (however we do submit a claim in bankruptcy and any payments received from the receiver are credited to the account accordingly)
- it is uneconomical to pursue the debt due to health, or financial reasons. In determining “uneconomic”, account must be taken of the overall impact on the Council of non-pursuit of that debt including the likelihood that other customers may then also choose not to pay their outstanding debts. We will use write off as a final option where there is no realistic chance of recovery and it is considered inappropriate to use other methods of recovery. This procedure may be linked to the person agreeing to take money management advice etc as considered appropriate.
- statute barred – An invoice is irrecoverable if six years have elapsed from the date of the invoice, date of service or last payment date, whichever is the later. If the debtor acknowledges the debt the six years runs from this date. All debts, which are statute barred, will be processed through the agreed write off procedures as irrecoverable.
- Inability to pay – if after all attempts to help a customer meet their payment obligations such as through providing budgeting advice or access to food parcels etc there is still an inability to pay some or all of their debt then write off may be

considered. However this will be the extreme exception and will only be made after working with the customer to find an alternative solution.

We will monitor all outstanding debts to ensure that they are recoverable and will take prompt action when irrecoverable debts are identified to write them off in accordance with our financial regulations. These financial regulations include an appropriate level of authority that has been delegated to officers.

The formal 'writing off' of any debts will not rule out recovery action being taken in the event that a customer's circumstances change.

Customer Care

In order to provide good customer care we will:

- ensure that debts are collected in an efficient and sympathetic way
- provide advice and guidance on ways to reduce bills and maximise income
- advise customers how to complain if they are unhappy with the service they have received
- encourage constructive comments from customers about how we can improve our services
- give our customers the opportunity to be involved in shaping the policies and procedures that determine how we recover debt
- ensure that services are delivered in the line with our Equality Strategy and that they are accessible, including making services physically accessible to people with disabilities

All staff involved in the billing, collection, recovery and enforcement of debts will be trained in customer care.

Customers will be provided with the contact details of the originating department on any invoices issued in order that they have access to officers with detailed and specific knowledge of the goods and/or services provided at all times.

Offices will be open to take customer queries either by telephone or in person between the hours of 8:30 am to 5.15 pm Monday to Friday. Email contact and relevant information will be available at all times.

All customers will have access to their account information and history in line with the provisions of the Data Protection Act 1998, and for council tax, business rates and housing benefit this will be available on line.

All customers will be encouraged to take ownership of their financial affairs. Whilst it is not the role of the Council to provide a debt counseling service, where customers are facing clear financial hardship they will be made aware of external debt counseling

services provided by the Citizens Advice Bureau and other information on how customers can get help and advice with debt. This will include information on help that can be received from utility companies in paying their debts to those companies.

The Council will continue to develop further its links with customer groups, particularly ethnic, disabled and pensioner groups by attendance at focus meetings and promotional events. This will enable the Council to 'test' customer awareness of the financial support and discounts/exemptions that are available together with an indication as to how understandable the Council's billing and recovery documents are.

Efficiency and cost effectiveness

We will seek to ensure that our recovery and enforcement activities are delivered in the most efficient and cost effective manner. This will include the use of external suppliers of services such as bailiffs as well as investigating the use of alternative suppliers of other recovery, legal and enforcement related services.

The use of external agents will be conducted in accordance with the Council's procurement policy.

We will seek to maximise the use of technology in order to improve efficiency and ensure the most up-to-date information is available on line where possible to both the Council and our external agents.

Partnership Arrangements

Relationships with partner organisations are a key component in any Corporate Debt Framework. The Council's resources and debt counseling skills are limited and it is unable to assist individuals with complex multiple debt problems. In response, the Council has developed close relationships with the Citizen's Advice Bureau and the Credit Union as well as other complimentary partners and introduced procedures for referring customers for debt counseling in these situations.

This has involved:

- Providing additional funding to the CAB over and beyond the core approved Council budget both locally and via the County Council. This additional funding is helping to address situations where multiple debt problems are identified and there is a threat of homelessness and is also supporting some of the outreach work being developed from the B.O.B Hubs. These hubs have been developed over the last year to largely replace the very successful B.O.B bus which was introduced in 2009 again in partnership with the CAB. This approach has ensured a professional, sympathetic and consistent approach is adopted by the Council. All parties work together using a common agreed standard income / expenditure document to determine payment arrangements that are acceptable

to all parties. This process has enabled help and advice on money management and how to prioritise their debts to be provided to customers through a variety of measures including the Credit Union and colleges.

- Developing a comprehensive on line referral claim form and comprehensive website and documentation branded the “frontline workers toolkit”. This is used for front line staff to advise and ref customers for help and advice and has recently been developed to enable self referral.
- Promotion of financial literacy through workshops and training through the CAB and the local colleges delivered both in our own and our partner’s premises.
- Establishing a variety of projects supporting the CWCDA (around promoting affordable borrowing and saving and work related aims) who work closely with the local Credit Union. Both have been financially supported by the Council in recent years. The Credit Union will continue to work with advice providers, particularly CAB to make the service more accessible. Services include:
 - assistance with opening a basic bank to enable cheaper borrowing
 - seeking to open a jam jar account to help educate the customer into paying bills regularly by working with them to this end. This service should provide the with customer with the experience both in paying bills and in linking into different payment methods, to help them to manage their finances more easily and effectively in the future.
- Working with Warwickshire Welfare Rights on undertaking targeted campaigns to promote benefit take up with some particular successes in the promotion of free school meals
- Working with the County Council to set up a foodbank and second hand furniture retail operation as part of the replacement / alternative crisis loan arrangements.

These are only examples of some of the partnership work that the Council is doing to support the outcomes of this framework and react to some of the consequences of customers being in debt.

In a more proactive way, the Council also works closely with its Civil Enforcement Agents ensuring that they operate within the Council's Code of Practice and deal with cases sympathetically, involving in some situations returning sensitive cases to the Council for action. Bailiff action will continue to be strictly monitored; with a sample of accounts checked on a regular basis to ensure excessive enforcement costs have not been added to accounts, adding unfairly to the indebtedness of individuals. Our relationship with Bristow & Sutor has developed over the last 20 years and they are now the Council’s sole recovery agent. The approach of only using a single bailiff/collection

agency means that they are aligned with the Council's approach and culture of collection.

The development of this framework has drawn on best practice and procedures implemented over a number of years. Our ongoing activities promote positive engagement with the public around providing advice on all types of welfare benefits, improving access to benefits information and promoting more effective and joined up working relationships with external advice agencies. This has resulted in very successful promotional campaigns on fuel poverty, loan sharks and free school meals being publicized and promoted by the Benefits service working closely with Warwickshire Welfare Rights and the Pension Service as well as other Councils across Warwickshire.

To foster more effective closer working between the Council and external advice agencies, a programme of secondments / exchange visits and cross training with the Citizens Advice Bureau (CAB), Pension Service and Civil Enforcement agents will be continue to be undertaken. This will develop greater staff understanding and appreciation of the role of each organisation.

Monitoring

We will monitor our policies and procedures (using a standard format) to ensure that they are effective. Monitoring will include:

- . quality checks on work processes to ensure fairness and consistency
- . audit and quality checks on work processed by individuals
- . rate of collection – to identify our performance against the monetary targets set for the collection of debts
- . number of cases at each stage of the recovery process
- . complaints received – to assist us with making service improvements
- . the introduction of a system that monitors engaged phone calls and setting of targets to improve performance
- . consultation with our customers and with advice agencies

Review of this framework

The Council is committed to continuous improvement and so it is inevitable that new approaches and ways of working will be introduced. This framework will be reviewed as appropriate (no longer than every 3 years) to enable it to be updated where necessary and to take into account any service improvements or changes.

Agenda Item No 14

Resources Board

25 March 2013

Report of the Deputy Chief Executive

Internal Audit – Performance for Third Quarter 2012-13

1 Summary

- 1.1 The report allows the Board to monitor the progress of the Council's Internal Audit function against the agreed plan of work for the year.

Recommendation to the Board

That the report be noted.

2 Report

- 2.1 The CIPFA Code of Practice on Internal Audit in Local Government defines standards of best practice for internal audit. The Code requires that Members both approve the Internal Audit Section's strategic work plan and receive periodic reports on performance against plan. This report summarises performance for October 2012 to December 2012.

3 Summary of Work Completed

- ... 3.1 Appendix A to the report summarises progress on the s151 audit plan for the period, identifying audits completed and indicating the extent of progress on those audits still outstanding. The 90% performance target of planned work in quarter three of 2012-13 was achieved. Appendix B provides definition for the levels of assurance applied.
- ... 3.2 Internal Audit can place a high level of assurance on the following final reviews:
Insurances, Housing Management, Risk Management, and Leisure Centres.
A medium level of assurance can be placed on Communications and Technology.
- 3.3 Internal audit continue to address matters raised by colleagues seeking advice and guidance within a consultancy role and have also worked on counter fraud issues with potential for continued activity. Contingency audits have further developed and provide essential support, assurance and security to existing council services. Requests for additional and unplanned work may also originate from external sources such as the National Fraud Initiative and external auditors.

3.4 The performance standards set by the Audit Commission require that Internal Audit complete at least 90% of planned work in the year unless there are good reasons otherwise. In calculating that statistic, planned work deferred at client request is ignored if such deferrals have appropriate justification. All client requests for deferrals have been based on sound service based justifications.

4 Report Implications

4.1 Risk Management Implications

4.1.1 Failure to provide an effective Internal Audit Service may adversely affect the level of internal control operating within the Council and will attract criticism from the External Auditors.

4.2 Links to Council's Priorities

4.2.1 The audit programme agreed and delivered is aligned to both the priorities of the Council and the requirements of external assessors.

The Contact Officer for this report is Barbara Haswell (719416).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Appendix A

Audits Completed Third quarter 2012-13

Audit	Quarter Due	Status	Assurance Level *	Tot No. of Recs	High Priority	Medium Priority	Low Priority	H/M Recs not Agreed(see att)
Insurances	3	Final	H	3	1	2		0
Housing Management	3	Final	H	1		1		0
Risk Management	3	Final	H	3		2	1	0
Comms & Telephony	3	Final	M	5	2	3		0
Leisure Centres	3	Final	H	8	4	4		0

Reasons for not providing a high assurance level on final reports

Communications & Telephony-A lack of monitoring/management of mobile devices and subsequent lack of acknowledgement of ownership resulted in poor cost control. Since the report, this has been addressed to a degree and continues to be worked on.

Progress Against Audit Plan

Audit	Status	Due	Audit	Status	Due
Grant Claims	Final		Insurances	Final	
Compliance with Policies & Strategies	Final		Housing Management	Final	
Democratic Services	Final		Risk Management	Final	
Emergency Planning & Business Continuity	Final		Comms & Telephony	Final	
Official Conduct	Final		Amenity		
Development Control & Enforcement	Final		Cleaning	Final	
Environmental Health Enforcement	Final		Stocks and Stores	Final	
Trade Refuse & Cesspool Emptying	Final		Leisure Centres	Final	
Performance Indicators & Management	Final		Partnerships	Postponed	
			Asset Management	Final	

Contact Centre	Ongoing	Qtr 4	Procurement	Draft	Qtr 4
Housing Repairs & Maintenance	Ongoing	Qtr 4	Facilities Management	Ongoing	Qtr 4

IT Audits have been completed on 3 of 4 programmed work areas and final reports have been produced. These relate to PCI-DSS, Web site Management and Academy - Revenues and Benefits. Each report resulted in a good level of assurance with one medium priority recommendation agreed.

Performance of Audit 2012-13 for Quarterly Indicators			
No.	Indicator	Suggested Frequency	Performance for 2012-13
1	Performance reports to Resources Board	Quarterly	September 2012, November 2012, March 2013
3	Number of audits where time taken to complete the work is more than 10% longer than planned.	Quarterly	7 of 18 completed audits. All due to additional work being undertaken.
4	Number of audits completed by set deadline	Quarterly	15 of 18. 2 delayed due to audit time on contingency audits and 1 due to service officers delay.
5	Final report issued within 4 weeks of completion of fieldwork	Quarterly	16 of 18. 1 due to service officer delay and 1 to delay in provision of back up documentation.
9	Questionnaire: Feedback obtained from report recipients is good (average 4 out of 5)	Quarterly	Good in those returned.
10	% of sickness levels within Audit is below 5%	Quarterly	None in quarter 3. 1.8% for April to December (1 officers absence)

Appendix B

Assurance level definitions:

Overall Audit Opinion	
High	Controls are in place and operating satisfactorily. Reasonable assurance can be given that the system, process or activity should achieve its objectives safely and effectively.
Medium	There are some control weaknesses but most key controls are in place and operating effectively. Some assurance can be given that the system, process or activity should achieve its objectives safely and effectively.
Low	Controls are in place but operating poorly or controls are inadequate, failing or not present to satisfaction. Only limited assurance can be given that the system, process or activity will achieve its objectives safely and effectively.

Recommendation Priority Levels definitions:

High	Action is agreed for implementation within one month of the report date
Medium	Action is agreed for implementation within three months of the report date
Low	Action is agreed for implementation within twelve months of the report date

Agenda Item No 15

Resources Board

25 March 2013

Report of the Assistant Chief Executive (Community Services)

Financial Inclusion Activity Update

1 Summary

- 1.1 The purpose of this report is to provide Members with an update of the Financial Inclusion activity undertaken by the Council and its partners in the last twelve months. The wide ranging activity undertaken is assisting residents of the borough experiencing personal and financial difficulties to meet their commitments during what are particularly challenging times.
- 1.2 In addition and with the most significant welfare reforms about to begin from April, our approach will be key in ensuring support around debt advice, income maximisation, affordable lending, emergency help via providing food and heating and promotion of health and well being is available to help residents address their future challenges.

Recommendation to the Board

That the report be noted.

2 Background to the Report

- 2.1 For many years, the Council working with key local partners have delivered help and support to customers to ensure they have maximised their benefits entitlement and been able to access debt and other advice when they have experienced financial difficulty or personal problems.
- 2.2 Since June 2009, the activity provided by various Council divisions, in particular Community Services (formerly Revenues and Benefits), Housing and Community Development and externally by our key partners, the CAB (Citizens Advice Bureau), WWRAS (Warwickshire Welfare Rights Advice Service) and the CWEDA (Coventry and Warwickshire Cooperative Development Agency) has been delivered under the B.O.B (Branching Out Bus) brand.
- 2.3 The B.O.B brand has become increasingly recognised by customers of the borough as being the vehicle under which we are delivering a wide ranging financial inclusion programme that is meeting the needs of local communities by taking information, advice and services into communities. It is a brand that has no barrier or stigma attached to it and this has been a key feature

attributed to its success. During 2012, this has extended to setting up 11 B.O.B hubs in the borough with at least 2 more planned to open shortly as well as the agreement to open a food bank / second hand furniture project as the latest B.O.B initiative in April 2013.

2.4 The services provided under the B.O.B brand continue to develop as it has become more popular and it now provides information about a range of Council and over 20 key partner services. This holistic approach is enabling the Council to deliver commitments on its three corporate priorities of

- Improving access to services,
- Addressing alcohol, obesity and the impacts of fuel poverty and
- Helping to raise education attainment skills and aspirations.

2.5 The wide-ranging activities and initiatives delivered by the Council and its partners have been captured in a document attached at Appendix A. Many of these have benefited hugely from the ongoing appointment of Sally Roberts, the Financial Inclusion Manager.

2.6 In terms of deciding action plans going forward in 2013/14, it is obvious that the future will continue to remain financially uncertain, both externally and internally, and the challenges to the Council and its partners will centre on delivering support around the following priorities;

1. The ongoing economic situation and the increasing cost of living for all.
2. Supporting customers impacted by the major Welfare Reform changes that will impact on working age customers during 2013/14 and beyond. The most significant is the impact of the localised Council Tax Support scheme, the Bedroom Tax, the removal of crisis loan support and the benefit cap. All these have been subject of separate reports and presentations to this Board during 2012.
3. Other key priorities for 2013/14 will focus on the continued promotion of free school meals, the use of the B.O.B hubs, the development of closer working with the Department of Work and Pensions around implementing the universal credit and the impact of work sanctions, and promoting more affordable loans via the credit union within the borough.

2.7 The infrastructure put in place by the Council in recent years means we are well placed to address the outcomes of these challenges. This will be achieved by the ongoing commitment to fund the B.O.B hubs, setting up the retail outlet/ food bank with 1st Chapter and use of the B.O.B bus in a different way. A report will also be considered by Members shortly recommending that the current temporary position of Financial Inclusion Manager filled by Sally Roberts be made permanent on the structure to ensure the wide ranging support agenda in place continues.

2.8 The work she is integral to supporting around financial inclusion will continue to be embedded into the organisation and co-ordinated via both the Councils

own Financial Inclusion forum of which the Chair of this board and Councillor Martin Davis are members as well as the countywide Financial Inclusion Partnership. The Assistant Chief Executive (Community Services) has chaired both these groups during 2012.

3 Report Implications

3.1 Finance and Value for Money Implications

3.1.1 Funding to undertake the financial inclusion work undertaken to date has been sourced from a number of different areas. These can be summarised as follows;

- The Council has funded the ongoing use of the B.O.B bus from the outreach budget during 2012/13 and the setting up of the B.O.B hubs from specific funding identified for this purpose as part of the Councils commitment to delivering improved access. Both these have been reported to the Executive Board and Community and Environment Board in terms of progress during 2012/13 and commitment to the ongoing use of funds has been made by the Executive Board for 2013/14 onwards.
- Funding has been provided by the County Council to support the successful Free School Meals project in 2012/13, to pay for two promotional films to promote the impact of Welfare Reforms and set up and running the food bank / second hand furniture operation that will start in April 2014.
- A number of worklessness projects have been funded from Section 106 monies connected to Birch Coppice and from monies specifically provided to the Council by the Government to assist in addressing new burdens caused by the welfare reform changes.
- By using existing internal resources from the Housing, Community Development and Community Services divisions. In many cases, these staff have been successful in pooling finance and resources to deliver better joined up results as well as also being successful in accessing external funding from a variety of sources to fund specific projects (e.g.) cook and taste activity, promotion of free school meals campaigns, providing fuel poverty help, raising awareness of loan sharks.
- The Council has also continued to make grants to the local CAB which have been maintained at the increased levels agreed in 2009. The increased level of funding (an extra £15,000 on the permanent award) will continue again in 2013/14. This has helped address the increased workload created by the ongoing economic downturn and enabled joint projects around addressing homelessness and benefit take up to be delivered.

3.1.2 This investment has seen considerable improved take up and maximisation of benefits and increased opportunities to access debt advice and affordable lending as detailed in the documents attached at Appendix A.

3.2 Safer Communities Implications

3.2.1 Better access to advice and assistance has many direct and indirect benefits that contribute to a greater feeling of well being and community cohesiveness. This can only have a positive impact on the communities we serve.

3.3 Environment and Sustainability Implications

3.3.1 The Councils ongoing commitment to assist in helping people address or improve their financial circumstances or well-being has positive impacts. It is hoped that by providing this level of support, it will ensure that residents can learn new skills to enable them to rely less on our help going forward and help keep collection rates in terms of rent, Council Tax and Housing benefit overpayments as high as possible by providing the correct levels of help and support.

3.4 Human Resources Implications

3.4.1 Ascertaining the right level and type of resources needed to deliver financial inclusion is under regular review, most notably by the Assistant Chief Executive (Community Services) and the Assistant Director (Housing). Internal resources have been increased in the Housing Division from late 2012 to deal specifically with the impact of the under occupancy (or bedroom tax). The extension of the B.O.B hub support officer recently agreed by the Executive Board will ensure the ongoing coordination of activity from B.O.B hubs during 2013/14.

3.4.2 As stated earlier in this report, a request will be made shortly to Members to make the temporary position of Financial Inclusion Manager that is currently in place until 31 March 2014, a permanent role on the establishment. This is currently funded from a permanent budget and is considered necessary due to ongoing and future impact of the welfare reform changes which will and are having a significant impact on a wide range of customers.

3.5 Risk Management Implications

3.5.1 Failure to provide appropriate levels of customer support could have a detrimental impact of many areas on Council activity and lead to an increase in costs of collection or support being incurred. The Councils current approach enables us to be proactive as opposed to reactive in our response to issues or circumstances. The risk of stopping or reducing levels of activity has to be considered on a case-by-case basis but in general terms it is generally accepted that there will be increased risks if such current services or resources are withdrawn in the current climate.

3.6 Links to Council's Priorities

3.6.1 The wide ranging activities undertaken under the overall Financial Inclusion approach cuts across virtually all Council priorities and in particular supports the three key corporate priorities of improving access to services, improving health and well being and raising education levels and aspirations.

3.7 Equalities Implications

3.7.1 The various methods and mediums used to promote financial inclusion activity ensures no group or individual is denied access to help or advice in respect of both Council and other complimentary services.

The Contact Officer for this report is Bob Trahern (719378).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

FINANCIAL INCLUSION MATRIX 2012/13 - Appendix A

This document describes the key outcomes and work programmes developed with regard to Financial Inclusion agenda undertaken during 2012/13. It supports and builds on the highly effective Financial Inclusion work that has been undertaken in this area since 2009.

Work Programme	Highlights of 2012/13
Welfare Reform	<ul style="list-style-type: none"> ➤ A Welfare Reform Officer has been appointed in the housing team ➤ Impact assessments continue to be undertaken due to the fluidity of the cases ➤ CTS consultation exercise undertaken during Aug to Oct 12 ➤ 141 responses returned – 23 online ➤ Self-help referral forms returned which were followed up with phone calls by NWBC and subsequently referred for additional help and advice to relevant agency using the online agency referral form ➤ 2,000 residents of working age affected by the CTS; having to pay an average of £75 py 2012/13 ➤ 8 cases affected by the Benefit Cap being introduced Sept 13. We propose to work with these families to help reduce the impact of the cap ➤ 350 council tenants affected by the under occupation tax ➤ 180 housing association tenants affected by the under occupation tax ➤ We continue to highlight the Welfare Reform changes and the impact that it will have on individuals and families and have undertaken the following presentations: <ul style="list-style-type: none"> ○ Area Forums ○ Head Teachers Forum ○ Children’s Centres ○ NWBC staff ○ Warm and Well Annual conference ○ NW Children’s Trust ○ NW Community Safety Partnership ○ WCVYS – Warwickshire Children and Youth Voluntary Services ➤ Wraparound project set up to give advice and support to those affected by the Welfare Reform changes <ul style="list-style-type: none"> ○ 24 events across 6 BOB Hub venues during Jan – Mar 13 ○ Supported by partner organisations ○ Personal invitations issued to all council tenants affected, letters to all CTS customers, twitter feeds, web pages developed, 242 daily text messages to parents at Racemeadows issued during a week in Mar ○ To date (after 14 events) 57 customers have attended

	<ul style="list-style-type: none"> ○ Although the events have not seen the footfall we would have hoped, they have been an invaluable opportunity to meet and train volunteers with regard to the Welfare Reforms, the wraparound website, agency and self referral systems and the available films to customers to watch ○ Our partners have found the experience of the Wraparound events very useful for networking, meeting new agencies and discussing potential working together initiatives
Mosaic Profiling	<ul style="list-style-type: none"> ➤ Profiling used to identify areas most at risk of Loan Shark activity ➤ Profiling used to identify cases for take-up work in relation to Warm and Healthy Homes funding in conjunction with WWRAS ➤ Profiling used to target FSM campaign
Children's Trust	<ul style="list-style-type: none"> ➤ An integral member of the partnership ➤ Supported the Children's Trust at the Head Teachers event ➤ Invited to present at other district and borough children's Trust with regard to Welfare Reform ➤ Welfare Reform and financial Inclusion now seen on the agenda as an important element to be included within the group ➤ Requests for my attendance at Stratford / Rugby / Warwick DC / NBBC children's Trust meetings have been declined due to resources
Citizens Advice Bureau	<ul style="list-style-type: none"> ➤ NW CAB working closely with 5 Children's Centres, delivering 1-2-1 sessions, group sessions and training frontline staff on issues such as economic abuse and welfare reform ➤ Energy Best Deals sessions delivered to organisations such as Age UK, Over 55's club, Community Workers Forum, NWBC staff – Housing and Revs and Bens ➤ FLWT and consumer education training sessions delivered to organisations such as the Fire Service, NHS, Social Services ➤ Participated in NWBC Big Energy Week and talking to the public at BOB hubs ➤ A CAB advisor attends the local job club and provides information and assistance in employment related issues
Coventry and Warwickshire Cooperative Development Agency and Credit Union	<ul style="list-style-type: none"> ➤ Supported by CDA during The Bite Back Begins (Loan Sharks) through POCA and county funding ➤ During 2013 we plan to undertake and exercise and promote New Central CU to all NW staff along with direct deduction from salary ➤ North Warwickshire works project – Section 106 ➤ CDA funded until Sept 13 to provide budgeting and money management advice and support opening a CU account and accessing affordable loans <ul style="list-style-type: none"> ○ 24 customers advised ➤ School Banks continue to operate across 12 sites

Consumer Financial Education Body / AKA Money Advice Service	<ul style="list-style-type: none"> ➤ We are actively promoting MAS website as ‘good practice’ and have included the website within our self-referral form for the Wraparound project
Financial Inclusion Forum	<ul style="list-style-type: none"> ➤ NWBC FIP held an FI event in Sept 12 to give the partnership the opportunity to celebrate success, consider what worked well, consider future agendas (Welfare Reform) and to look at how we could work better together <ul style="list-style-type: none"> ○ Part of this event involved workshops to highlight 3 projects to work on. These were: <ul style="list-style-type: none"> ▪ To revisit the agency referral form ▪ Preventative work for Welfare Reform ▪ Continue with FSM campaign ○ We have delivered on all of these and more ➤ During 2013 we will be developing an FI Strategy and discussing with the FI partnership project themes to be covered during the next 12 months, including the consideration of funding streams
Child Poverty	<ul style="list-style-type: none"> ➤ A variety of activity to tackle child poverty outlined in other sections of this document – i.e. Free School Meals / Bright Sparks ➤ The County FIP are considering the role of the County Child Poverty Strategy as a TOR for the group ➤ Concerns have been raised with the affects of the Welfare Reform on children ➤ These concerns, evidence and impacts will be uncovered by Children’s Trust / Children’s Centres / Housing staff / Schools and will be fed through these groups. ➤ In order to continue to tackle Child Poverty we need to consider the inclusion of WR cases on the Priority Families agenda
Severn Trent Water	<ul style="list-style-type: none"> ➤ An active member of the NW FIP ➤ STW continue to support our events – Big Energy Week 2012 ➤ STW have written to all their NW debtors and included paragraphs on behalf of NWBC re Welfare Reform changes and contact details and logo ➤ STW will be a partner in our Jam Jar Account pilot – however there are currently issues with regard to sharing data which has held up the project at this time. We hope to start the project in April 13
Financial Awareness Training Sessions	<ul style="list-style-type: none"> ➤ CS staff have been trained on the Wraparound pages and referral process ➤ All staff and members have been advised of the Wraparound webpages, what can be accessed, self-referral forms, agency referral forms and films available
SNAPS (Housing)	<ul style="list-style-type: none"> ➤ The SNAPS group have covered policies, strategies and Welfare Reform. The following NWBC documents have been shared for info and consultation; <ul style="list-style-type: none"> ○ Changes to Lettings Scheme ○ Welfare Reform Action Plan ○ Homeless Strategy Action Plan

	<ul style="list-style-type: none"> ○ Warwickshire Tenancy Strategy ○ Tenancy Policy ○ Tenancy Fraud Action Plan ○ Housing Strategy 2013-15
Top 20 debtors PID	<ul style="list-style-type: none"> ➤ In response to a report taken to board and as a result of the top 20 debtors project, housing have now appointed a temporary Housing Welfare Officer ➤ The role currently deals with those affected by Under Occupation tax and wider WR issues ➤ This role has supported the planned Wraparound events across the borough ➤ Future work of the role will need to be considered
Making a Difference Day	<ul style="list-style-type: none"> ➤ MAD was a much bigger event in 2012 – accommodating all secondary schools in the borough over a 2 day period, held at Drayton Manor ➤ No representation from FI was included at these events ➤ It is under discussion whether this event will be repeated as there is a similar, bigger event being held for all schools in B'ham
NWBC Schools	<ul style="list-style-type: none"> ➤ Attended the countywide Head Teachers conference in Nov 12 and undertook a presentation on Welfare Reform and to consider it's impact on a child's learning experience <ul style="list-style-type: none"> ○ This prompted schools from across the county to make contact re FSM campaign and request further information and guidance ○ Supported and directed schools to become part of their local Children's Trust ➤ See section on FSM for update and outcomes ➤ Working closely with the Watling cluster (Racemeadow, Outwoods, Queen Elizabeth, Woodside, St Benedict's) with regard to FI initiatives such as Wraparound and Foddbanks <ul style="list-style-type: none"> ○ All of the cluster issued Wraparound leaflets to all of their parents, sent text messages to every parent each day, highlighted and promoted the event at Racemeadow on Fri 1/3, sent newsletters and loaded information on to their websites ➤ QE school will be a Community Food Member of our Foodbank from Apr 13. the foodbank will supply QE with food to support their Breakfast Club which has seen an increase in take-up of over 50% since Sept 12 ➤ Announced that Financial Education is to become part of the National Curriculum ➤ Water Orton School <ul style="list-style-type: none"> ○ School bank now operating by the parents and student volunteers ○ Regular 'Tweets' about Financial Inclusion and job vacancies eg Ocado, BMW, Welfare Reform updates ○ Working with Warwick University under the Heat Project which establishes links with higher education, apprenticeships to help reduce NEETS. Funding secured from Warwick Uni to build

	<p>'progression' thinking which follows on Making a Difference day in 2011 – enforces raising aspiration at an early age</p> <ul style="list-style-type: none"> ○ In relation to FSM take-up work there is now a 6 year benefit to the school in pupil premium ○ Watling Cluster – Racemeadow / Queen Elizabeth / Outwoods / Woodside / St Benedicts ○ 1,590 flyers issued to every pupil re Welfare Reform changes and invitation to a Wraparound event held at Racemeadow 1/3/13 ○ Each school highlighted in their newsletters and on their websites ○ Text messages sent daily to every parent – each day a different WR message ○ W/C 25/2 every school invited parents in to a Maths lesson in response to WR ○ Whole day Wraparound event with partners at Racemeadow school – 18 attended
Free School Meals	<p>Have your Cake and Eat It! Outcomes:</p> <ul style="list-style-type: none"> ➤ 108 referrals to WWRAS ➤ 34 FSM awarded ➤ £20,400 value to schools in Pupil Premium ➤ £217,446 identified and awarded in unclaimed benefit ➤ One family were better off by £19,763 per year <p>***NB: Additional funding of 3.5k from the county has been identified to undertake further FSM work by Mar 13. Awaiting confirmation of timescales and costs from WWRAS</p>
Landlords Forum	<ul style="list-style-type: none"> ➤ Housing held a private landlord's forum in July 12 we gave a presentation on Welfare Reform
Financial Inclusion Newsletter (Council Tenants)	<ul style="list-style-type: none"> ➤ 'The Tenants Link' newsletter issued to all tenants in Nov 12 was dedicated to informing tenants about the Welfare Reforms ➤ The next edition is due out in Mar 13
ICT Community Hubs or B.O.B Hubs	<ul style="list-style-type: none"> ➤ In phase 1 of the development of the BOB hub project, 11 BOB hubs have been installed and launched in the following areas: <ul style="list-style-type: none"> ○ Arley – Strategic hub with Video conferencing ○ Hartshill - Strategic hub with Video conferencing ○ Baddesley Ensor ○ Coleshill town Hall ○ Coleshill Library - Strategic hub with Video conferencing ○ Polesworth Library - Strategic hub with Video conferencing ○ Water Orton ○ Birchmoor ○ Mancetter

	<ul style="list-style-type: none"> ○ Ansley Common ○ Shustoke ➤ We will be installing and developing the BOB Hub Diordon at the village hall during March ➤ We still hope to seek a solution for Kingsbury and Wood end during 2013 ➤ A volunteer coordinator was been appointed by NW VC in Sept 12 for 9 months which has supported the project and helped recruit and manage volunteers ➤ BOB Hubs are being used for training purposes by ACL, CDA and are hosting 6 work clubs ➤ Access to the council and CAB via video Conferencing is starting to increase and it is envisaged that this will only increase with the BOB being withdrawn from service in Feb 12 and with the impact of Welfare Reform starting to emerge ➤ There has been a change in personnel due to promotion and the BOB service ending which is timely as we move into phase 2 of the BOB project – promotion and customer engagement ➤ The role of the BOB hub Support Officer will be to work out of the Bob Hubs and engage with communities / schools / children’s centres / playgroups / tea dances etc to help increase footfall and highlight potential training and use of the BOB hubs ➤ Work and support of the BOB Hubs continues and a report will be taken to board to discuss the ongoing support, both financially and with staff resources, during March 13
Debt Strategy development	<ul style="list-style-type: none"> ➤ As a result of Welfare Reform and the need to revisit the Debt Strategy from an organisational perspective, a new Debt Strategy has been developed for March 13 to be adopted by board
Children’s Centres	<ul style="list-style-type: none"> ➤ We have engaged with Children’s Centres in relation to the use of the agency referral process, Welfare Reform, BOB Hubs – Mancetter Children’s Centre / Atherstone Early Years / Bedworth Children’s Centre ➤ A presentation on Welfare Reform and its impact was given to The Northern Cluster of Children’s Centres covering NWBC and NBBC area
County Financial Inclusion Partnership	<ul style="list-style-type: none"> ➤ An active member of the county FIP with NWBC ACE being Chair of the partnership during 2012. this role has been passed to Mark Ryder from Apr 13 ➤ Activity undertaken by the group includes: <ul style="list-style-type: none"> ○ FSM Campaign – pilot in NW and currently rolled out to NBBC due to the successful outcomes in NW ○ Loan Shark Awareness – funded by IMLT from POCA ○ Welfare Reform <ul style="list-style-type: none"> ▪ A series of countywide films commissioned to BRANCAB film unit covering: <ul style="list-style-type: none"> ○ Under Occupation Tax – released and promoted Jan 13 ○ Council Tax Support Scheme – due for release ○ Loan Sharks – due for release and funded by IMLT ○ Money Management – due for release

	<ul style="list-style-type: none"> ➤ Local Welfare Support Scheme <ul style="list-style-type: none"> ○ The county are currently finalising details of their scheme that will replace crisis loans and community care grants. It has to be in place by Apr 13
Frontline Workers Toolkit Training	<ul style="list-style-type: none"> ➤ It has been noted along with requests to have the FLWT updated. However during 2012 it was too early to consider as WR agenda still very 'fluid' with dates and some of the other organisations going through transformational change . It would also be an expensive exercise to undertake and no funding available at the present time to support any amendments ➤ Something to note is that it is still considered to be a very valuable asset to a FLW!
Promotional	<ul style="list-style-type: none"> ➤ Events: <ul style="list-style-type: none"> ➤ Big Energy Week – W/C 22/10 (supported by CAB, STW, Age Uk) ➤ The Bite Back Begins – W/C 8/10 (supported by CDA) ➤ Alcohol Awareness Week – W/C 12/11 (supported by Police, Health, Community Safety) ➤ Attended the evening event at Coleshill Town Hal with the BOB 16/11 ➤ Wraparound – During Jan – Mar 13 (supported by Cab, AoE, Fire, ACL, Community Development, Housing, Revs and Bens, CDA) ➤ Letters issued to ALL affected by CTS and Under Occupation ➤ Website development and the introduction of self-referral system ➤ A series of countywide films commissioned to BRANCAB film unit covering: <ul style="list-style-type: none"> ➤ Under Occupation Tax – released and promoted Jan 13 ➤ Council Tax Support Scheme – due for release ➤ Loan Sharks – due for release ➤ Money Management – due for release ➤ As a partner with Midland Heart we have also released for information their film covering under occupation, benefit cap and universal credit – available on our website ➤ All staff and councillors emailed to highlight WR and where to access information and guidance ➤ Twitter feeds ➤ North Talk – every edition has had messages about WR and BOB Hubs and other FI information and help
BOB Service	<ul style="list-style-type: none"> ➤ Due to the development of the BOB Hubs agreed by members for the BOB bus service to cease from end of Feb 13 in order to better utilise resources ➤ During the period April 12 to Feb 13 the BOB had 880 customers visited the BOB service ➤ The BOB will now be used to support community events, consultation and ad hoc initiatives and will be available for other service areas and partners to book and borrow

<p>Warwickshire Welfare Rights</p>	<ul style="list-style-type: none"> ➤ Representation at Social security Tribunals has secured additional benefit gains for NW clients of £82,718 ➤ FSM Campaign – see FSM section for outcomes ➤ Affordable Warmth take-up – see affordable warmth section for outcomes
<p>Affordable Warmth Steering Group</p>	<ul style="list-style-type: none"> ➤ WWRAS fuel poverty take-up referrals identified through using Mosaic ➤ 500 letters issued ➤ 66 referrals returned to WWRAS ➤ £173,386 additional benefit identified and claimed <p>2012/13</p> <ul style="list-style-type: none"> ➤ County awarded £110,503 from Department of Health - Warm and Healthy Homes funding (2nd year award) ➤ Funding includes: <ul style="list-style-type: none"> ○ boiler servicing (3k awarded to district and boroughs) ○ community engagement (4k awarded to district and boroughs) – currently planning a multi-agency door-to-door knock exercise to include community safety ○ fuel poverty take-up initiatives - Mosaic to be used and EPC data ○ EPC data for all NW properties ○ Emergency Heating now available across the county ○ Funding for some CAB / Age Uk / WWRAS to do take-up and advice sessions
<p>Loan Sharks</p>	<ul style="list-style-type: none"> ➤ Mosaic used to target areas where higher propensity to Loan Shark activity ➤ Loan Shark awareness raised at Area Forums – leaflets / presentations ➤ A series of events and activity during ‘the bite back begins’ week – 8/10/12 <ul style="list-style-type: none"> ○ ½ day training and awareness session for staff and partners – 80 attended ○ Schools targeted – shark suit / flyers (Hurley / Racemeadows / Birchwood and Dordon School) ○ Promotional and awareness raising activity at Atherstone Early years / Mancetter Children’s Centre ○ BOB Bus awareness activity at Wood End and Hurly / Dordon / Arley and also Atherstone Market and High st ○ Information leaflets / beer mats issued to pubs, betting shops, supermarkets, restaurants in all areas visited ➤ The Bite Back Begins week highlighted in a national IMLT newsletter
<p>Community cafe</p>	<ul style="list-style-type: none"> ➤ LA support withdrawn from the café during 2012 ➤ Alexandra Court has ceased trading as a full community café in all areas ➤ Beverages and cakes still being served to the residents

Garden buddy scheme	<ul style="list-style-type: none"> ➤ This scheme is run by the Volunteer Centre
Cook and Taste sessions	<ul style="list-style-type: none"> ➤ Cook and Taste sessions were only available at Easter, Summer, Halloween and Christmas due to resource capacity ➤ Community Cooking Projects will be developed during the 2013/14 and will compliment the Foodbank Project
Vegetable Bag Scheme	<ul style="list-style-type: none"> ➤ Vegetable Bag Schemes have been established at the following locations: <ul style="list-style-type: none"> ○ Atherstone Early Years and the Volunteer Centre – sold over 150 bags ○ Baddesley Bob hub – sold over 404 bags ○ Shustoke Village Shop and BOB hub – sold over 140 bags ○ Coleshill BOB hub – sold over 100 bags ➤ Currently working to establish Veg Bag schemes in Arley and Hartshill BOB Hubs
Life Beyond School	<ul style="list-style-type: none"> ➤ Bright Sparks <ul style="list-style-type: none"> ○ Available in all schools except Polesworth ○ 39 employers engaged with the project ➤ Talent Match <ul style="list-style-type: none"> ○ 39 employers engaged with the project ○ Software developed for CV / self-assessment ○ Still needs links to Training Provider offers - this will be developed during 2013 ○ Will be available to access ion BOB Hubs
Work Clubs	<ul style="list-style-type: none"> ➤ 6 NW Work Clubs established in the following BOB Hubs: <ul style="list-style-type: none"> ○ 5 funded by section 106 funds in Arley / Baddesely / Hartshill / atherstone / Poleswoorth ○ 1 supported by a volunteer in Coleshill Town Hqall BOB Hub ○ Will be linked in to the Talent Match project going forward and referred to training opportunities through the section 106 employment contract ➤ During 2013 all NEETS will be referred on to a NEETS programme, once in place. We are hopeful of being awarded a Lottery grant called 'Talent Match' to support NEET young people the furthest away from a positive destination (ie hand holding approach to an individuals needs)
Ocado	<ul style="list-style-type: none"> ➤ 41 people recruited through JCP process ➤ 8 rounds of recruitment took place during 2012 ➤ All benefit recipients were written to with regard to all of the jobs and training opportunities available at Ocado ➤ 1 positive comment from a benefit claimant who managed to secure employment through the information issued

<p>Priority Families</p>	<ul style="list-style-type: none"> ➤ 96 council tenancy cases with both rent and council tax arrears presented to the Priority Families group to be discussed for inclusion within the project ➤ These cases have been passed to R Beggs to work with Warwickshire Observatory to highlight whether any other priority family criteria data is also present – TBC ➤ Although these families may not present with any of the original ‘criteria’ set to be included within the project it should be noted that consideration should be given as these have the potential to become homeless families ➤ These families would benefit from being included within our Jam Jar Account Pilot
<p>NW Food and Furniture Centre</p>	<ul style="list-style-type: none"> ➤ In response to the WR and changes in relation to the Social Fund, NW will be undertaking a ‘Foodbank’ pilot initiative funded by the county ➤ NWBC area, unlike the other district and boroughs, has no foodbank provision across the borough already. This project will support people through difficult times and will replace the current scheme of issuing cash loans to customers ➤ There will be 4 streams to the pilot: <ul style="list-style-type: none"> ○ The provision of emergency food direct to individual / families ○ The supply of food to community cafes at BOB hubs ○ The supply of food for breakfast clubs at schools ○ The supply of food for community cooking projects ➤ We will be working in partnership with Fareshare for the supply of food and chapter 1 who will be funded to help coordinate and distribute the food at the food / furniture centre for the emergency food stream of the project ➤ Chapter 1 will also have available the use of 2 further units to use as a showroom for furniture and training / workshop ➤ The units will be made fit for purpose during Mar 13 ready for occupation in Apr 13 ➤ The referral process is under development and we are discussing with partners to ensure that we have a robust and sensible process in place by Apr 13 ➤ We are working with Fareshare and our partners to develop links and understand the process, audit controls and delivery of the community food scheme ➤ The Food and Furniture Centre will be open for operation in early Apr 13
<p>Labour Market Stats</p>	<ul style="list-style-type: none"> ➤ DWP stats – Dec 12 <ul style="list-style-type: none"> ○ The population of North Warwickshire is currently 61,900 of which 39,700 are aged 16-64. ○ 71% are in employment compared to 74.8% in the whole of Warwickshire and 67.5% in the West Midlands. ○ Jobseekers Allowance (JSA) claimants equal 2.4% proportion of the resident population of the

	<p>same age.</p> <ul style="list-style-type: none">○ Atherstone Jobcentre had averaged 54 new JSA claims per week over the last 12 months.○ The current register size was 667.○ The average length of time a person claimed JSA was 18.7 weeks.○ 30 people had been registered for more than 2 years, but all of these individuals had health problems.○ Over 90% of people claiming left the register within 52 weeks.○ The most sought after occupations were sales and retail, administration, general driving and elementary (where no experience was required).○ Atherstone Jobcentre averaged 500 vacancies per month.○ Currently it had 146 live vacancies, some of which could be multiple jobs. Part-time vacancies had increased by 18% compared to the same time last year and a third of all jobs were via a recruitment agency.○ Job density currently stands at 1.03 jobs per person looking for work however, there was a mismatch in jobs available and what customers ideally wanted, a skills shortage in engineering and specialist driving and a high level of disadvantaged customers, particularly those with no qualifications and low levels of literacy.
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Document Compiled by Sally Roberts and Bob Trahern, 12 March 2012

NORTH WARWICKSHIRE BOROUGH COUNCIL

**MINUTES OF THE
HOUSING SUB-COMMITTEE**

4 February 2013

Present: Councillor Winter in the Chair

Councillors N Dirveiks, Humphreys, Johnston and Moore.

Councillors Lewis, Phillips and Smith were also in attendance.

An apology for absence was received from Councillor Davis (Councillor Humphreys substitute).

66 Disclosable Pecuniary and Non-Pecuniary Interests

None were declared at the meeting.

67 Minutes of the Housing Sub-Committee held on 8 October and 21 November 2012

The minutes of the meeting of the Sub-Committee held on 8 October and 21 November 2012, copies having previously been circulated, were approved as a correct record and signed by the Chairman.

68 Corporate Plan 2013-14

The Sub-Committee's approval was sought for the Corporate Plan Key Actions for which it was responsible and to agree the 2013-14 Service Plans for the Housing Division.

Recommendation to the Executive Board

- a That those Corporate Plan Key Actions, as set out in Appendix A to the report of the Chief Executive, for which the Housing Sub-Committee is responsible be agreed;**
- b That the wording of the Council's Priority relating to Housing be amended to "Listening to and working with our tenants to maintain and improve our housing stock; providing affordable housing in the right place and intervening, where appropriate, to ensure that private sector stock is in good condition and occupied"; and**

Resolved:

- c That the Service Plan as set out in Appendix B to the report of the Chief Executive be agreed.**

69 **Impact of Welfare Benefit Reforms on Council Tenants and Income Collection – Progress Report**

The Assistant Director (Housing) provided an update on progress in dealing with the impact of the Government's welfare reform changes for the Council's tenants and income collection.

Resolved:

- a **That the progress being made to understand and prepare for the impact of the welfare reform changes be noted; and**
- b **That the further actions detailed in the report of the Assistant Director (Housing) be agreed.**

70 **Home Energy Conservation Act 1995-2013 Update Report**

The Assistant Director (Housing) provided the Sub-Committee with a report which had to be submitted to Government detailing what actions the Council had undertaken with regard to domestic energy conservation and measures the Council may pursue as part of its duties within the Home Energy Conservation Act.

Resolved:

That the Report attached at Appendix A to the report of the Assistant Director (Housing) be adopted, implemented and submitted as required.

71 **Housing Strategy 2013-15**

The Assistant Director (Housing) presented a revised Housing Strategy to the Sub-Committee for consideration and comment.

Resolved:

That the Housing Strategy 2013-2015 be agreed.

72 **Revision of Housing Allocations Scheme**

The Assistant Director (Housing) sought approval for a revised draft Housing Allocations Scheme

Resolved:

- a That the revised Housing Allocations Scheme attached as Appendix A to the report of the Assistant Director (Housing) be adopted as a draft scheme;**
- b That consultation is undertaken with applicants and other stakeholders about the scheme and the feedback is considered by the Sub-Committee before it agrees a final scheme; and**
- c That consideration be given to the introduction of a financial support scheme for tenants downsizing and the terms of the scheme from April 2013, with an interim scheme for tenants needing to downsize because of welfare reforms to be introduced immediately.**

73 Tenant Satisfaction Survey 2012

The Assistant Director (Housing) provided information about the feedback the Council's tenants had given in the most recent tenant satisfaction survey.

Resolved:

That the tenant satisfaction survey feedback be noted.

74 Asset Management Plan – Council Stock

The Assistant Director (Housing) submitted a revised Asset Management Plan to the Sub-Committee for consideration and comment.

Resolved:

That the Asset Management Plan for the Council's stock be agreed.

75 Review of Grounds Maintenance Service for Council Sheltered Schemes

The Assistant Director (Housing) provided the Sub-Committee with information about a review of the grounds maintenance service delivered to Council sheltered schemes and flats and proposed a pilot project to evaluate some changes.

Resolved:

- a That the review of the grounds maintenance service to sheltered schemes and flats be noted;**

- b That the proposal to test new ways of working and evaluate costs in a pilot scheme for 6 sheltered schemes be agreed; and**

Recommendation to the Resources Board:

- c That a growth bid for the grounds maintenance pilot scheme of £20,832 for 2013/14 only be agreed.**

76 Supporting People – Interim Strategy

The Assistant Director (Housing) updated Members on the progress of the Supporting People programme.

Resolved:

That the report be noted.

77 Progress Report on Achievement of Corporate Plan Targets – April – December 2012

The Chief Executive and the Deputy Chief Executive informed Members of the progress made with the achievement of the Corporate Plan targets relevant to the Housing Sub-Committee for April to December 2012.

Resolved:

That the report be noted.

**COUNCILLOR WINTER
CHAIRMAN**

Agenda Item No 17

Resources Board

25 March 2013

**Report of the
Chief Executive**

Exclusion of the Public and Press

Recommendation to the Board

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

Agenda Item No 18

Irrecoverable Housing and Local Taxation Debts – Report of the Assistant Chief Executive (Community Services)

Paragraph 1 - by reason of the report containing information relating to an individual.

Agenda Item No 19

Adoption of an Updated Write Off Policy – Report of the Assistant Chief Executive (Community Services)

Paragraph 3 – by reason of the report containing financial details of an organisation.

Agenda Item No 20

The Arcade – Report of the Assistant Director (Streetscape)

Paragraph 3 – by reason of the report containing financial details of an organisation.

Agenda Item No 21

Sale of Land – Report of the Assistant Director (Streetscape)

Paragraph 3 – by reason of the report containing financial details of an individual.

The Contact Officer for this report is David Harris (719222)