



Notice of meeting of

Decision Session - Executive Member for Housing & Adult Social Services

To: Councillor Morley (Executive Member)

Date: Tuesday, 23 March 2010

Time: 4.00 pm

Venue: Guildhall

AGENDA

Notice to Members – Calling In

Members are reminded that, should they wish to call in any item on this agenda, notice must be given to Democracy Support Group by:

10.00 am on Monday 22 March 2010 if an item is called in before a decision is taken, or

4.00pm on Thursday 25 March 2010 if an item is called in after a decision has been taken.

Items called in will be considered by the Scrutiny Management Committee.

Written representations in respect of items on this agenda should be submitted to Democratic Services by **5.00pm on Friday 19 March 2010**.

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. Minutes

(Pages 3 -
10)

To approve and sign the minutes of the meeting held on 26 January 2010.

3. Public Participation - Decision Session

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is **5:00pm on Monday 22 March 2010**.

Members of the public may register to speak on:-

- an item on the agenda;
- an issue within the Executive Member's remit;
- an item that has been published on the Information Log since the last session. Information reports are listed at the end of the agenda.

4. Former Tenants Arrears - Write off

(Pages 11 -
16)

This report seeks the Executive Member's agreement to write off a number of former tenants arrears.

5. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972

Information Reports

The following items have appeared on the Information Log since the last meeting. They can be viewed on the Council's website.

- a) No Access Procedure – Gas Servicing
- b) Results of Annual Housing Satisfaction Survey

Democracy Officers

Catherine Clarke and Louise Cook (job share)

Contact details:

- Telephone – (01904) 551031
- Email catherine.clarke@york.gov.uk and louise.cook@york.gov.uk

(If contacting by email, please send to both Democracy officers named above).

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Decision Session) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

MEETING	DECISION SESSION - EXECUTIVE MEMBER FOR HOUSING & ADULT SOCIAL SERVICES
DATE	26 JANUARY 2010
PRESENT	COUNCILLORS MORLEY (EXECUTIVE MEMBER)
IN ATTENDANCE	CLLR ALEXANDER, CLLR SIMPSON-LAING

1. DECLARATIONS OF INTEREST

The Executive Member was invited to declare at this point in the meeting any personal or prejudicial interests he might have in the business on the agenda. No interests were declared.

2. MINUTES

RESOLVED: That the minutes of the meeting of the Decision Session – Executive Member & Adult Social Services held on 27 October 2009 be approved and signed by the Executive Member as a correct record.

3. PUBLIC PARTICIPATION - DECISION SESSION

It was reported that there had been 4 registrations to speak at the meeting under the Council's Public Participation Scheme.

Representations were received from the Co-Chairs of the Valuing People Partnership Board regarding agenda item 7 (Revenue Budget Estimates 2010-11 – Housing and Adult Social Services). They informed the Executive Member that they were concerned that the Social Services Policy post would be removed. They stated that this post provides key organisational and admin support to the Partnership Board and was a key point of contact and without it the Board would suffer. They confirmed that the Board provides improvements for people with learning disabilities and that the Social Services Policy post was critical to achieve these results.

Representations were received from Heather McKenzie who spoke on behalf of Unison regarding item 7 (Revenue Budget Estimates 2010-11 – Housing and Adult Social Services).

She raised the following issues of concerns:

- There had been a lack of consultation with staff.
- Outsourcing of the Training & NVQ Team
- Reduction in Social Care Staffing

She stated that the reduction of posts in the Social Care Team would have a huge effect on staff and the delivery of the service. Staff had confirmed that workloads were currently high and the proposed job cuts had resulted

in anxious staff concerned how they would deliver the service with a reduction in the team. Ms McKenzie informed the Executive Member that staff from the Hospital's Discharge Team had also confirmed that the workload was already high and a cut in the team could delay discharges. She added that the drop in jobs could result in vulnerable people suffering if the service was overworked and could actually turn out to be more expensive for the Local Authority.

She asked the Executive Member not to recommend the proposed job cuts as the impact would have a long term and damaging effect to the Council.

Representations were received from Councillor Tracey Simpson-Laing who spoke on an issue within the Executive Members remit. She asked the Executive Member to consider asking officers to produce a report on the Housing Waiting List and the Unmet Needs of Housing in conjunction with the Strategy Housing Team. She commented on the current housing situation and stated that there were 42 families living in flats with 6 families of 2 or more residing in one bed roomed flats, resulting in overcrowding. Cllr Simpson-Laing stated that 25 families, some with young children or babies were living above the ground floor, which was a health and safety risk. These living arrangements were not appropriate and she requested officers review this situation.

Cllr Simpson-Laing also commented on the empty properties across the city and she discussed how if managed properly they could be brought back into affordable homes. Between 2008/9 423 properties were empty and only 19 were brought back into use. Cllr Simpson-Laing suggested officer's review this situation and work to turn more empty properties back into affordable homes.

Representations were received from Councillor James Alexander who spoke on item 4 (Comments from the Health Overview & Scrutiny Committee Regarding the Referral from the Executive on Overspends in Adult Social Services). Councillor Alexander stated he was giving this statement in his capacity as a Councillor not as Chair of the Health Overview and Scrutiny Committee nor on behalf of his political grouping. He made representations regarding the Executive Members lack of engagement with the Health Overview and Scrutiny Committee by failing to attend their meeting on 13th January 2010.

4. COMMENTS FROM THE HEALTH OVERVIEW & SCRUTINY COMMITTEE REGARDING THE REFERRAL FROM THE EXECUTIVE ON OVERSPENDS IN ADULT SOCIAL SERVICES

The Executive Member considered a report that detailed the comments from the Health Overview & Scrutiny Committee on the referral from the Executive regarding overspends in Adult Social Services.

The Chair of the committee, Councillor Alexander and the Scrutiny Officer gave an update and informed the Executive Member that, in the Scrutiny Committee opinion, the overspend had been clearly caused by an increase in demand for the services provided and was due to low funding for care

compared to the national average. Furthermore, the service was aware of the risks of an overspend while entering the financial year and although savings in the service had been found, the full financial position of the service had not been fully addressed through the breadth of the financial year. Cllr Alexander added that due to a lack of information regarding the possible impact upon budgets for the next financial year and the effect this would have on service users, the Health Overview & Scrutiny Committee did not feel it was in a position to recommend ways of off-setting the increase in demand that the Executive requested. This had obvious budgetary connotations and the Committee had felt they were not therefore in a position to give recommendations without the information regarding an overall picture

The Executive Member stated that one of the reasons he did not attend the meeting in January was because he felt the Health Overview & Scrutiny Committee were trying to anticipate the budget and were asking for information on the budget proposals that had not been published or finalised.

RESOLVED:

- i. That the Executive Member notes the contents of Annexes B 1 & 2.
- ii. That a summary of the Executive Members comments will be included in the Health & Overview Scrutiny Committee report which will be considered by the Executive on 16 February 2010.

Reason: To address the concerns raised by the Executive referral.

5. PETITION RELATING TO THE PROVISION OF DOUBLE GLAZED WINDOWS

The Executive Member considered a report that advised him of a petition received relating to the provision of double glazed windows and provided an update on the current provision.

The officer gave an update and informed the Executive Member that the petition had been presented at Council on 3rd December 2009 with 133 signatories requesting that council owned homes in the Monkton Road area be fitted with energy efficient double glazed windows. He stated that under the Decent Homes Standard the key building component regarding windows was the window frame and not the type of glazing. The windows in the homes in Monkton Road area were not the only ones that had not met the criteria for replacement; approximately 1900 homes do not have double glazing. The cost to replace all windows would be approximately £5.7m.

The Executive Member considered the petition and noted that the Housing Revenue Account would be depleted if all 1900 homes were offered double glazing. He suggested officers revisit this once the outcome of the government Housing Revenue Account (HRA) Subsidy Review and the review of the HRA Business Plan was complete.¹

RESOLVED:

- i. That the Executive Member notes the information in the report.
- ii. That the Executive Member considered the petition and requested a future review be considered following the HRA (Housing Revenue Account) Business Plan review.

Reason: To ensure that a strategic planned approach is taken to reviewing the HRA Business Plan and stock investment decisions

Action Required

1. A future review to be considered following the HRA BH (Housing Revenue Account) Business Plan review.

6. NON RESIDENTIAL CHARGING POLICY

The Executive Member considered a report that asked him to amend the Non Residential Charging Policy, following consideration of the consultation outcomes and the Equalities Impact Assessment.

The officer gave an update and commented on the responses to the Social Care Fairer Charging Survey. Since the report had been written officers had received further replies which had taken the response rate to 38%. Officers agreed to send the latest responses to the Executive Member.¹

Officers confirmed that the council's current non residential charging policy disregards 35% of Disability Related Allowances (DRA) in lieu of an individual assessment of Disability Related Expenditure (DRE). In financial terms this was equivalent to anything between £7 and £40 per week depending on the individual circumstances, with an average for current customers of £36 per week. Officers added that a benchmarking exercise had been completed and the results of this confirmed that the York policy remains one of the most generous policies with regard to disability related expenditure, as the average amount allowed in other authorities who take 100% of disability related benefits was £16 per week.

In answer to the Executive Members questions the officer confirmed that many customers would continue to receive free care but approximately 475 customers potentially face an increase in charge. Each individual customer would be assessed on their disability related expenditure needs and each individual would be assessed before any change in policy.

The Executive Member agreed that York would be falling inline with other Local Authorities but that the increase could have a big impact on the individual customer. He agreed option 2 but asked officers to incorporate a transitional measure and that any increase in charges should not exceed £25 per week for the next municipal year. The officer agreed to contact the Executive Member to update him on the financial impact the transitional period would have.²

RESOLVED: That the Executive Member considered the outcome of the consultation and the Equalities Impact Assessment and agreed Option 2, amending the current non residential charging policy with effect from April 2010 with the following condition:

- Any increase in charges should not exceed £25 per week for the next municipal year.

Reason: To generate additional income whilst still ensuring consistent application to the Fairer Charging Guidance.

Action Required

1. Send the Exec Member the latest responses to the Social Care Fairer Charging Survey BH
BH
2. Update the Exec Member on the financial impact the transitional period will have.

7. REVENUE BUDGET ESTIMATES 2010/11 - HOUSING AND ADULT SOCIAL SERVICES

The Executive Member received a report as part of the consultation on the 2010/11 budget process. The report presented the budget proposals for Housing and Adult Social Services and included:

- the revenue budget for 2009/10 (Annex 1) to show the existing budgets
- the budget adjusted and rolled forward from 2009/10 into 2010/11
- the cost of pay and price increases, increments and settlement of pay and grading appeals for the portfolio
- proposals for budget service pressure costs and savings options for the portfolio area (Annexes 2 and 3)
- fees and charges proposals (Annex 4)
- the Housing Revenue Account (Annex 5).

The Director of Housing and Adult Social Services gave an update on the directorate's financial position and areas on which there were significant financial pressures. He confirmed that given the need for significant savings it had not been possible to completely avoid proposals that would have some implications either for staff or service levels.

In response to the verbal representations made the Director stated that the removal of the Social Services Policy post would not effect the council's service to the Valuing People Partnership Board and due to a high volume of staff achieving NVQ's the requirement for staff training had decreased and that the alternate ways of providing training and the NVQ service would result in a more cost effective service.

The Director informed the Executive Member that the proposal to look at savings in social care assessment would need to be handled very carefully to ensure that essential services were not affected. It would be subject to very careful consideration and a rigorous assessment process, which included looking at the risk to customers and staff, legislative requirement, proven customer demand and the Council's corporate objectives. He added that the Social Care Strategy post and Equalities and Information post provided much needed support to the development and improvement of services. If savings were made in these areas then it would be important for the new department of Adults, Children and Education to explore how strategic support was provided.

Officers went through the key issues in the report and the forthcoming Housing Revenue Account review. They also stated that the Social Inclusion Working Group would be considering the budget proposals at their meeting on 28th January 2010 and would feed their comments to the Executive and the Executive Member for Housing and Adult Social Services.

Full details of the budget would be considered by the Executive on 16 February 2010 and then Budget Council on 25 February 2010.

RESOLVED:

- i. That the Executive Member considered the budget proposals for consultation for Housing & Adult Social Services.
- ii. That the Executive Member confirmed that the proposals were in line with the corporate priorities.
- iii. That the report be referred to the Executive for consideration.
- iv. That any issues arising from the Equalities Impact Assessment be taken into consideration when the Executive considers the final budget proposals.

Reason: As part of the consultation on the Housing & Adult Social Services budget for 2010/11

Cllr Morley, Chair

[The meeting started at 4.00 pm and finished at 5.30 pm].

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Meeting of the Executive Members for Housing and Adult Social Services

23 March 2010

Report of the Director of Housing and Adult Social Services

Former Tenants Arrears – Write off

Summary

1. To seek agreement to write off a number of former tenants arrears.

Background

2. The district auditor requires existing balances to be examined and uncollectable debts to be written off each year. In the Audit Commission's Housing Inspection report dated October 2002, the need to write off bad debts more promptly was highlighted.
3. Former Tenant Arrears (FTAs) have had a significant effect on the additional contribution made each year within the Housing Revenue Account (HRA) towards bad debts. This has had an adverse effect on resources available for expenditure.
4. Where a debt is written off this does not mean that it can never be recovered. The debt is written back on to a rent account if the customer is located. This may be because the customer has made contact again with Housing Services. Debts are written back on each month and this is reported on monthly. From 06.04.09 to 24.01.10 £80,640 was written back on to rent accounts.
5. In addition to this Housing Services has implemented two improvements in this area. The management of former debt for customers in temporary and permanent accommodation has been simplified and a formal system for checking on debts owed by newly accepted homeless customers has been implemented. In addition, a system for doing periodic traces on customers who have had their debt written off is now in place.
6. Officer delegated powers are restricted to writing off debts of £2000 or less.
7. As previously agreed by EMAP, write off reports will be brought to EMAP every 6 months. This will assist officers and members in the monitoring process and should give a clearer view on performance throughout the year.
8. FTAs are monitored weekly. The level of activity involved in recovery is based on the size of the debt. The Authority makes use of a tracing database which

conforms to Data Protection requirements to locate former tenants. Where a former tenant is found efforts are made to recover the debt in traditional ways, including; letters, phone calls and visits. Legal action is taken in appropriate cases. The Authority also employ debt collection agents to chase debts from people who have moved away from York and will be acting on recommendations of recent rents audit and mock inspection.

9. Details of individual cases are set out in Annex A

Consultation

10. None

Options

11. Option A: Maintain these FTAs on accounts. This would lead to an increase in the bad debt provision and would go against good practice as commented on in the Housing Inspectors report of October 2002.

Option B: Write the debts off on the understanding that if necessary they can be reinstated at a later date.

Analysis

12. It is recommended that FTAs are written off totalling £44,317.53. This represents 0.16% of the total debit. These are cases where Housing Services have attempted a number of traces but have been unable to obtain a forwarding address or any information on the whereabouts of the former tenant. It also includes cases where the tenant has died and there were insufficient funds in the deceased's estate.

Corporate Objectives

- 13 This report supports corporate objective of improving the organisational effectiveness of the council through good financial management.

Implications

14. The implications arising from this report are as follows:
- **Financial** - These write offs can be contained within the bad debt provision of the Housing Revenue Account. The current provision is £1,255,449
 - **Human Resources (HR)** - None
 - **Equalities** - None
 - **Legal** - None
 - **Crime and Disorder** - None

- **Information Technology (IT)** - None
- **Property** - None
- **Other** - None

Risk Management

15. Writing off debts that can not currently be recovered will help reduce the bad debt impact on the HRA. This reduces high risk financial implications for the HRA.
16. The risk of these debts never being recovered is high but has been improved due to the use of tracing IT package and more robust systems on checking for former debts when customers want rehousing

Recommendations

17. That the Executive Member:
 - Approves option 2 which involves writing off FTAs of £44,317.53 as detailed in Annex A

Reason: This is in line with the recommendations of the audit report detailed in paragraph 1 and also for the financial implications listed above.

Contact Details

Author:
Denis Southall
Support Services Manager

Chief Officer Responsible for the report:
Steve Waddington
Head of Housing Services

Tel No. 1298

Report Approved **Date** 04/03./10

Report Approved **Date**

Specialist Implications Officer(s) - None

Wards Affected: None

All

For further information please contact the author of the report

Background Papers:

None

Annexe:

Annexe A – Over £2k write off 's (anonymous) Mar 10

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Mar-10

OVER £2,000.00					
NAME	ACCT NO	ADDRESS	TCD	ARREARS	REASON
			18/04/04	3941.19	no trace
			20/08/00	3619.95	no trace
			16/11/08	3355.87	in prison
			20/11/05	2829.57	no trace
			01/09/02	2781.24	no trace
			13/02/05	2780.63	no estate
			21/03/04	2513.95	no trace
			11/10/04	2475.75	bankruptcy
			15/03/09	2391.59	no trace
			31/07/09	2380.14	no trace
			25/06/06	2335.98	no trace
			11/10/09	2301.44	bankruptcy
			25/11/09	2203.04	no trace
			31/08/08	2184.60	no trace
			08/02/09	2138.39	no trace
			26/10/03	2074.74	no trace
			22/10/06	2009.46	no trace
				£44,317.53	

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